

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

UNITED STATES OF AMERICA	)	Criminal No. 19-10117
	)	
	)	
v.	)	
	)	
FELICITY HUFFMAN,	)	
<i>Defendant</i>	)	

**I. INTRODUCTION**

On March 12, 2019, the FBI arrested Felicity Huffman at her home for conspiring to commit mail fraud and honest services mail fraud in violation of 18 U.S.C. §1349. Ms. Huffman pleaded guilty on May 13, 2019. She is remorseful—indeed, deeply ashamed—about what she did. She now respectfully requests that the Court punish her for her crime by imposing a one-year term of probation; 250 hours of community service as a special condition of probation; and the \$20,000 fine called for by the Plea Agreement. That sentence is appropriate here for five main reasons:

- *First*, whether the Court adopts the guidelines calculation in the Plea Agreement or the view the Probation Department advances, the proposed sentence falls squarely within the applicable 0 to 6 month guidelines range. A probationary sentence is also consistent with the Sentencing Commission’s recent reminder to Courts to “consider non-incarceration sentences for non-violent first offenders.” USSG Supplement to Appendix C (Amendment 811), November 1, 2018.
- *Second*, the proposed sentence is consistent with the punishment Judges mete out in similar cases in this District and across the country. Judges almost always impose probationary sentences in cases like these. Imposing the sentence Ms. Huffman requests would serve a primary purpose of federal sentencing law: “avoid[ing] unwarranted sentence disparities among defendants with similar records who have been found guilty of similar conduct.” *See* 18 U.S.C. 3553(a)(6).
- *Third*, the facts of Ms. Huffman’s crime show that she deserves punishment equally as severe as the sentences imposed in similar cases. “Just punishment,” *see* 18 U.S.C. 3553(a)(2)(A), requires that—but not more than that.

- *Fourth*, Ms. Huffman’s conduct here was completely out of character. Nothing about her “history and characteristics” require a prison sentence; in fact, consideration of the life Ms. Huffman has lived points decisively in the opposite direction.
- *Fifth*, the sentence Ms. Huffman proposes best serves *all* the purposes of sentencing recognized in 18 U.S.C. § 3553(a). It is “sufficient, but not greater than necessary” to “reflect the seriousness of the offense, to promote respect for the law . . . to afford adequate deterrence to criminal conduct.” *See also United States v. Rodriguez*, 527 F.3d 221, 228 (1st Cir. 2008)

## II. FACTS

In October 2017, Ms. Huffman agreed to pay Rick Singer \$15,000 to falsify her daughter Sophia’s SAT scores. She committed a federal crime when she did so, as her guilty plea acknowledges. But here, as in every case, context—the “the nature and the circumstances of the offense”—is critical. 18 U.S.C. § 3553(a)(1). Ms. Huffman does not offer this account as a justification or excuse for what she did. But she asks the Court to take five critical facts into account in evaluating her actions.

*First, Ms. Huffman did not seek out Singer because she wanted to falsify her daughter’s SAT scores.* To the contrary, a friend (a woman not alleged to be involved in any unlawful conduct) recommended Singer, describing him as one of the best college counselors in California.<sup>1</sup> PSR ¶53. Ms. Huffman sought help from Singer because Los Angeles County High School for the Arts (“LACHSA”), the public high school her daughter Sophia attended, had limited college counseling resources: two college counselors for more than 600 students. *Id.*

*Second, Ms. Huffman’s daughter had significant, long-recognized learning disabilities that legitimately entitled her to extra time on tests.* Ms. Huffman believed it was particularly important to hire someone to help Sophia prepare for the college testing and application process because of

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<sup>1</sup> The charging document does not identify either of Ms. Huffman's daughters by name. Because both of her daughters’ names have been widely publicized in the media, Ms. Huffman uses them here for purposes of clarity.

her daughter's long-diagnosed learning disabilities. *See* Exhibit A (Felicity Huffman Letter); see PSR ¶¶52-59. Sophia was granted extra time on tests beginning in middle school. *Id.* In June 2017, before Singer proposed his illegal scheme, a neuropsychologist conducted follow-up testing and recommended that Sophia received 100% time on standardized tests, and that the testing take place over two days. *Id.*

*Third, for nearly a year before suggesting his scheme, Singer provided legitimate educational advice to Ms. Huffman.* Ms. Huffman first spoke to Singer in September 2016. *Id.* ¶54. Sophia had just started her sophomore year at LACHSA and Mr. Huffman's younger daughter, Georgia, was starting her freshman year at another school. *Id.* ¶ 55. Singer agreed to work with Sophia. *Id.* ¶54. He said nothing suggesting that he could increase Sophia's SAT scores at will; indeed, just the opposite: Ms. Huffman came away from her first meeting with Singer understanding that Sophia would need to study hard to prepare for the SATs. *Id.* Between September 2016, when Ms. Huffman first spoke with Singer, and eleven months later, in August 2017, when he first proposed falsifying test results, Singer gave Ms. Huffman a broad range of completely legitimate advice about her two daughters' educations. *Id.* ¶55. His company provided tutors for Sophia and Sophia worked hard to improve her scores. *Id.* ¶56. Singer also gave Ms. Huffman advice about her younger daughter, Georgia, and even met with senior officials at Georgia's high school (Georgia was then a sophomore) to advocate for an academic program that took Georgia's learning disabilities into account. *Id.* ¶57. By August 28, 2017, when Singer first proposed his scheme, Ms. Huffman's confidence in him had grown and she had come to rely on him as the primary source for guidance for both her daughters' educations. *Id.* ¶55.

*Fourth, Ms. Huffman did not immediately agree to Singer's illegal proposal to falsify test scores.* Singer first proposed his illegal scheme to Sophia on August 28, 2017, nearly a year after

he began working with Ms. Huffman and her daughters. *Id.* ¶60. Ms. Huffman took notes of that meeting on her laptop. At the meeting Singer stressed the importance of Sophia getting good test scores *Id.* He also recommended that Sophia have math tutoring twice a week. *Id.* But Singer also described his views of how the college admissions process really worked. *Id.* He said Sophia would have to compete with many other students who had advantages in the admissions process she would not: athletes and children of alumni, for example, and children who got into college because their parents had made major donations to the school. *Id.* Even if a school's stated admissions rate was 10%, Singer said, its actual rate for a student like Sophia, who was not a legacy, an athlete, or the child of a major donor, might be two or three percent. *Id.*

Sophia wanted to study performing arts (acting, in particular) at college. *Id.* ¶61; *see also* Exhibit A (Felicity Huffman Letter). To be admitted, Singer explained, Sophia would need to audition in person and be selected based on acting ability and promise. PSR ¶61. But Singer also told Ms. Huffman that Sophia's talent alone would not be enough. *Id.* Singer said Sophia needed to get a score of 1250 to 1350 on the SAT to even be considered for the performing arts programs she hoped to attend. *Id.* Without a score in that range, Singer said, Sophia would be rejected no matter how much ability she showed in an audition. *Id.* (Ms. Huffman did not know at the time, but learned later, that this was false: several of Sophia's classmates, also talented performers with no special advantages in the admissions process, were admitted to schools on Sophia's college list with SAT scores in the 1100s. *Id.*)

Singer then proposed the scheme that brings Ms. Huffman here. *Id.* ¶62. As Ms. Huffman's contemporaneous notes recite, Mr. Singer said he could do what he perversely described as leveling the playing field. He proposed to:



Control the outcome of the SAT—15 grand—get a proctor in the room with her and she gets the answer she needs to get[.] At the end of the test—the proctor is making sure. 75 grand guy will make the scores perfect.

*Id.* Singer told Ms. Huffman that he had done the same with many other families. *Id.* ¶63

Ms. Huffman did not immediately agree to Singer’s proposal. *Id.* ¶64. Instead, Ms. Huffman followed through on Singer’s alternative suggestion—that he provide a new math tutor. Sophia worked with that math tutor in September and October. *Id.* ¶65. On October 16, 2017, the College Board notified Sophia and LACHSA that Sophia had been granted 100% extra time on the SAT, as her neuropsychologist had recommended and requested based on the updated testing conducted in June. *Id.* ¶66. LACHSA informed Ms. Huffman that her daughter could take the exam at the school on December 4-5, 2017. *Id.*

LACHSA’s offer to permit Sophia to take the exam over two days at the school effectively required Ms. Huffman to make the decision she had been putting off. Should she have Sophia take the test at LACHSA with the benefit of the accommodations she had legitimately obtained—100% extra time, with the test to be taken over two days? Or should she accept Singer’s proposal to inflate the test scores—something that required Sophia to take the test at a testing center Singer controlled? Ms. Huffman spoke with Singer. *Id.* ¶67. He told her that he believed Sophia’s test preparation work and the accommodations she had legitimately received would not be enough. Without his help on the test scores, Singer said, Sophia would be rejected even if she performed well in her auditions. *Id.*

On October 17, 2018, to her deep and continuing shame, Ms. Huffman agreed to the proposal Singer had first made on August 28. *Id.* ¶68. She texted Singer, telling him that she wanted Sophia to take the SAT in December. Singer responded: “Are we doing this on her own or with my help.” Ms. Huffman replied: “With your help.” *Id.*

Why did Ms. Huffman agree to Singer's proposal—one she knew was wrong? Ms. Huffman's letter to the Court (Exhibit A) answers that question in her own words:

I honestly didn't and don't care about my daughter going to a prestigious college. I just wanted to give her a shot at being considered for a program where her acting talent would be the deciding factor. This sounds hollow now, but, in my mind, I knew that her success or failure in theater or film wouldn't depend on her math skills. I didn't want my daughter to be prevented from getting a shot at auditioning, doing what she loves because she can't do math . . . . I talked myself into believing that all I was doing was giving my daughter a fair shot.

Ms. Huffman does *not* expect the Court to accept that explanation as a justification for her crime. She writes: "I see the irony in that statement now because what I have done is the opposite of fair." *Id.* But that is how Ms. Huffman justified her actions *to herself* at the time, and sheds light on how a person with a strong moral compass could wander so far off course. Singer reinforced Ms. Huffman's rationale. As he told Ms. Huffman in a recorded meeting on October 16, 2018, after Sophia had begun applying to colleges: "\$15,000 investment, she got a 1420, which is huge. No school can say no to her based on scores. *Now it's about ability.* That was a smart move." (emphasis added). *See* Exhibit B, Affidavit of Martin F. Murphy ¶3.<sup>2</sup>

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<sup>2</sup>The government notes that Sophia's SAT score (after Riddell corrected her exam) was approximately 400 points higher than the PSAT score she obtained when she took the PSAT a year earlier. PSR ¶42. This is true as far as it goes, but it does not tell the whole story. When Sophia took the PSAT in October 2016 (near the start of her sophomore year), she received no accommodations of any kind—including the extra time she was entitled to. In addition, Sophia had not taken her ADHD medication that day. *Id.* ¶52. And since neither Ms. Huffman nor her daughter attached any significance to the PSAT, as they understood it to be only a prep test, Sophia did nothing to prepare for it. *Id.* Ms. Huffman does not know what her daughter's December 2017 SAT scores were *before* Singer's accomplice, Riddell, corrected Sophia's answers. The government has offered no evidence of that. But it is unfair to Sophia to assume that her score on the December 2017—before Riddell's corrections—was in fact 400 points lower than 1420. Moreover, whatever her true score was, that score likely failed to reflect what Sophia's performance would have been if she had taken the test as she was legitimately entitled to take it: with 100% extra time, over a two-day period—something that Sophia's neuropsychologist had recommended and the College Board approved. *Id.* ¶70.

*Fifth, Ms. Huffman consciously chose not to participate in Singer's scheme a second time.*

Singer continued to act as a college counselor for Ms. Huffman and her daughters for more than a year after Sophia took the SAT. *Id.* ¶72. He gave feedback on schools Sophia was thinking about. *Id.* He provided an SAT tutor for Georgia. *Id.* ¶72. Singer also proposed to repeat his scheme by having a proctor falsely inflate Georgia's test scores, and to charge Ms. Huffman \$15,000 to do so. *Id.* ¶73. Ms. Huffman seriously considered the proposition. *Id.* She struggled with the idea that she would do something to help one of her daughters and not the other. *Id.* But Ms. Huffman knew that what she had done with Sophia was wrong, and did not want to do a second time something that she remained deeply troubled about having done the first time. *Id.* ¶74. In a call the government recorded on March 5, 2019—before she knew anything about the government's investigation or Singer's cooperation—Ms. Huffman told Singer she was “not going to go the same route with Georgia as we did with Sophia. It just doesn't feel right.” Murphy Aff. ¶4.

### **III. MS. HUFFMAN'S ACCEPTANCE OF RESPONSIBILITY**

Ms. Huffman promptly accepted responsibility for the crime she committed, agreeing on April 4, 2019 to plead guilty to the Information the government would file on April 8, 2019. She also issued a public statement taking full responsibility for what she had done.<sup>3</sup> In her letter to the Court, Ms. Huffman makes clear how deeply sorry she is for what she did. *See* Exhibit A.

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<sup>3</sup> *See* <https://www.bostonglobe.com/metro/2019/04/08/read-felicity-huffman-statement-pleading-guilty-college-admissions-scandal/bR55YbqsizzrjnJiPqFOCN/story.html>

#### IV. SENTENCING GUIDELINES CALCULATION

The government, Ms. Huffman, and the Probation Department agree that the relevant sentencing guidelines range is 0 to 6 months, although they arrive at the range by slightly different logic. In the Plea Agreement, the government and Ms. Huffman identified USSG §2B1.1 as the relevant guideline. Plea Agreement (Doc. No. 318) ¶ 3. The parties also agreed that §2B1.1's base offense level should be adjusted upward to account for the amount Ms. Huffman agreed to pay Singer. *Id.* The plea agreement left that amount unresolved. The government contended that Ms. Huffman initially agreed to pay Singer \$25,000. *Id.*; *see also* PSR ¶ 35. Ms. Huffman disputed that allegation because she agreed to pay, and did pay, \$15,000. Plea Agreement (Doc. No. 318) ¶ 3; PSR ¶ 60. The government, which bears the burden of proof on loss enhancement, has informed defense counsel that it does not intend to press the issue and the government's September 13 submission to Probation confirms that. Thus the government and Ms. Huffman (pursuant to the terms of the Plea Agreement) have agreed that the adjusted offense level is 7, resulting in a sentencing guidelines range of 0 to 6 months.<sup>4</sup>

The Probation Department likewise concludes that the sentencing guidelines range is 0 to 6 months. PSR, at 41. The Probation Department determined that Ms. Huffman's conduct caused no loss and, therefore, found that that her adjusted offense level is five, also resulting in a 0 to 6

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<sup>4</sup>The math is as follows: Base Offense Level=7 (*see* §2B1.1(a)(1)); *plus* 2 because the amount paid was between \$6,500 and \$15,000 (*see* §2B1.1(b)(1)), *minus* 2 because Ms. Huffman accepted responsibility (*see* §3E1.1), resulting in an adjusted offense level of 7.

month range under the guidelines.<sup>5</sup> *Id.* ¶90. Thus, whether the Court adopts the guidelines calculation in the plea agreement or the Probation Department’s calculation, the result is the same: a guidelines range of 0 to 6 months.<sup>6</sup> The PSR also reports that “[t]he probation officer has not identified any factors that would warrant a departure from the applicable sentencing guideline range.” *Id.* ¶166.

## **V. THE COURT SHOULD IMPOSE A SENTENCE OF PROBATION WITH SIGNIFICANT COMMUNITY SERVICE**

Ms. Huffman respectfully requests that she be sentenced to a one-year term of probation, with a 250 hours of community service as a special condition of probation, and the \$20,000 fine called for by the Plea Agreement.<sup>7</sup> That sentence represents “just punishment” for her crime, taking into account “the nature and circumstances of the offense” and Ms. Huffman’s “history and character.” 18 U.S.C. § 3553(a). It is “sufficient, but not greater than necessary” to “reflect the seriousness of the offense [and] to promote respect for the law.” *Id.* Under the circumstances, it “afford[s]

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<sup>5</sup> The Probation Department’s math is as follows: Base Offense Level=7 (*see* §2B1.1(a)(1)), *minus* 2 because Ms. Huffman accepted responsibility (*see* §3E1.1), resulting in an adjusted offense level of 5.

<sup>6</sup> In several other cases, the government has taken the position that the correct guideline is USSG §2B4.1 (Bribery in Procurement of Bank Loan and Other Commercial Bribery). *See United States v. Vandemoer*, 19-cr-10079-RWZ (Doc. No. 21); *United States v. Bizzack*, 19-cr-10222-DPW (Document No. 2 (Plea Agreement)). Applying that guideline would also produce at 0 to 6 month GSR. Under §2B4.1, the math is as follows: Base Offense Level=8 (*see* §2B4.1(a)); *plus* 2 because the “value of the bribe” was between \$6,500 and \$15,000 (*see* §§ 2B4.1(b)(1)(B), 2B1.1(b)(1)); *minus* 2 because Ms. Huffman accepted responsibility (*see* §3E1.1), resulting in an adjusted offense level of 8. The fine range under the guidelines varies slightly depending on whether the Court adopts the Probation Department’s calculation (a fine range of \$500 to \$9,500), *see* PSR ¶162, USSG §5E1.2(c)(3); the calculation in the plea agreement (a fine range of \$1,000 to \$9,500), USSG §5E1.2(c)(3), or the calculation under §2B4.1 (a fine range of \$2,000 to \$20,000). Here, the government and the defendant agreed to recommend a \$20,000 fine.

<sup>7</sup> Ms. Huffman has arranged to perform that community service, should the Court and the Probation Department approve at two Los Angeles area non-profits devoted to serving at risk young people. *See infra* at 27-28.

adequate deterrence to criminal conduct.” *Id.* And it would also “avoid unwarranted sentence disparities among defendants with similar records who have been found guilty of similar conduct.”

*Id.*

**A. The Proposed Sentence is Permissible Under the Guidelines. Indeed, the Sentencing Commission Has Recently Reminded Sentencing Judges to Consider Probationary Sentences.**

The proposed sentence falls squarely within the sentencing guidelines, which calls for a sentence within the 0 to 6 month range. The guidelines specifically authorize the Court to impose a sentence of probation for defendants, like Ms. Huffman, who are first offenders and whose guidelines range falls within Zone A—the lowest zone in the sentencing table. PSR ¶157; USSG §5B 1.1; *see also* §5B (Introductory Comment): “The Comprehensive Crime Control Act of 1984 makes probation a sentence in and of itself.” To reinforce this point, the Sentencing Commission has recently amended the guidelines “as a reminder to consider non-incarceration sentences” for non-violent first offenders like Ms. Huffman. *See* Amendment 811, USSG, Supplement to Appendix C (November 1, 2018). Amendment 811 inserted a new Application Note (now Application Note 4) to the Commentary to USSG §5C1.1, stating:

If the defendant is a nonviolent first offender and the applicable guideline range is in Zone A or B of the Sentencing Table, the court should consider imposing a sentence other than a sentence of imprisonment, in accordance with subsection (b) or (c)(3). See 28 U.S.C. § 994(j). For purposes of this application note, a ‘nonviolent first offender’ is a defendant who has no prior convictions or other comparable judicial dispositions of any kind and who did not use violence or credible threats of violence or possess a firearm or other dangerous weapon in connection with the offense of conviction.

This provision implements language in 28 U.S.C §994(j), providing that “[t]he Commission shall insure that the guidelines reflect the general appropriateness of imposing a sentence other than

imprisonment in cases in which the defendant is a first offender who has not been convicted of a crime of violence . . .” USSG, Supplement to Appendix C (November 1, 2018).

**B. The Proposed Sentence is Consistent with Other Sentences Imposed in this District and Nationally for Similar Offenses. Imposing it Would Implement 28 USC §3553(a)(6)’s Directive that Sentencing Judges Avoid Unwarranted Sentence Disparities.**

18 U.S.C. § 3553(a)(6) requires that sentencing courts consider, when imposing sentence, the “need to avoid unwarranted sentence disparities among defendants with similar records who have been found guilty of similar conduct.” Congress’ focus on eliminating unwarranted disparities played an essential role in the creation of the Sentencing Commission in the first place. *See* USSG Part 1.3 (“The Basic Approach: Policy Statement.”) Even after the Supreme Court made clear that guidelines were advisory, not mandatory, avoiding unwarranted disparity remained an important objective: “it is unquestioned that uniformity remains an important goal of sentencing.” *Kimbrough v. United States*, 552 U.S. 85, 107 (2007). The advisory guidelines play a critical role in helping sentencing judges to “avoid excessive sentencing disparities.” *Id.* (quoting *United States v. Booker*, 552 U.S. 220, 264 (2005)). *See also United States v. Reyes-Santiago*, 804 F.3d 453, 467 (1st Cir. 2015).

Data from the United States Sentencing Commission show that, in this District and across the country, Judges sentence the overwhelming majority of defendants who plead guilty to charges like the ones at issue to probation rather than prison. That was the case even *before* the Sentencing Commission’s recent adoption of Amendment 811, directing courts to consider non-incarceration sentences for first offenders. Ms. Huffman’s proposed sentence—one that does not call for imprisonment—is consistent with other sentences for similar cases imposed in Massachusetts and across the nation. The government’s proposed sentence would create unwarranted disparities, not avoid

them. That is the opposite of what 18 U.S.C. § 3553(a)(6) requires. A review of other sentences also serves a second purpose: it provides valuable insight about how other District Judges have sought to fashion “just punishment” for similarly situated defendants, and counsels strongly in favor of a probationary sentence here.

2. *Sentences in this District.* The statistical analysis by MCM Data Consulting (attached as Exhibit C) reveals that between 2002 and 2018, Judges in the District of Massachusetts sentenced, in total, 127 defendants similarly situated to Ms. Huffman. These defendants, like Ms. Huffman, pleaded guilty to charges governed by USSG §2B1.1; had a guidelines range of 0 to 6 months; and occupied Criminal History Category 1. *Id.* at 7 (Table C). Of those 127 defendants, Judges in this District chose to send only *five* (3.9%) to prison at their sentencing hearings. *Id.* (Table E).<sup>8</sup> The most common sentence by far was probation, imposed on 79.5% of those 127 defendants (n=101). *Id.* (Table C). The Sentencing Commission’s data record 19 of the 127 defendants (13.4%) receiving prison terms. *Id.* But 14 of these 19 defendants received “time served” sentences. *Id.* at Table E.<sup>9</sup> For these defendants, the sentencing Judge chose *not* to impose any term of imprisonment beyond that resulting from the defendants’ pre-trial detention. As a practical matter, the Judge in these cases imposed the *least* severe sentence he or she could at sentencing.

The Sentencing Commission data does not include docket numbers, but counsel has been able to identify three of the five cases where a District Judge here imposed a term of imprisonment beyond time served.<sup>10</sup> These cases involve markedly different facts than those at issue here:

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<sup>8</sup> In Table D, these cases are identified as Case Nos. 4, 43, 44, 88 and 94.

<sup>9</sup> In Table D, these cases are identified as Case Nos. 1, 2, 3, 5, 6, 38, 45, 65, 66, 74, 93, 95, 96, and 97.

<sup>10</sup> Counsel for Ms. Huffman has been able to match the descriptions of these cases described in Exhibit C, (Table E) to docket numbers in three of the five cases: case nos. 4, 43, 44. Counsel has not been able to obtain additional information about Case Nos. 84 and 94 from Table E.



- In *United States v. Doxer*, 1:11-cr-102680-DJC, Ex. C (Table E, Case No. 43), the defendant stole his employer's confidential information and provided it to a person he believed to be an agent of a foreign government. The government contended that the defendant wanted the foreign agent to harm a family member in exchange for the provision of trade secrets and that the defendant's chief goal was to benefit a foreign government. Doc. No. 28 at 2-3, 6. The court imposed a sentence of six months' imprisonment.
- In *United States v. Deignan*, 1:13-cr-10205-DPW, Ex. C (Table E, Case No. 44), the defendant, a police officer, submitted fraudulent prescriptions for painkillers at pharmacies using a confiscated license he obtained in the course of his duties. The government recommended a sentence of 10 months' incarceration. The court imposed a sentence of three months' imprisonment based in part on the defendant's abuse of his public position for personal benefit. Doc. No 35 at 23.
- In *United States v. Randall*, 1:11-cr-10242-RWZ, Ex. C, (Table D; Case No. 4) the defendant, also a police officer, accepted money from an informant in exchange for compromising a pending criminal case, and later lied to federal agents about doing so. Shortly before sentencing, he was detained after he assaulted a blogger who had reported about his case. The Court imposed a sentence of four months imprisonment (90 days beyond what he served pre-trial) and two years of supervised release.<sup>11</sup>

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<sup>11</sup> The data reported above does not include defendants sentenced in 2019. But District Judges in this District have sentenced a number of Criminal History Category I defendants this year whose guidelines calculations were governed by USSG §2B.1. Their sentences reinforce the conclusion that a probationary sentence is appropriate here. Most notably, USSG §2B.1. governed the guidelines calculations in the cases arising from the elaborate, widely publicized scheme some Massachusetts State Police Officers engaged in to obtain overtime pay for shifts they did not work. These defendants violated their oaths as police officers and violated the public trust, but most received one-day prison sentences (reflecting the time they spent in custody immediately after their arrest). See *United States v. Cesan*, 18-cr-10383-DPW ((PSR guidelines range: 12 to 18 months; sentence: time served—one day; one-year supervised release) (Doc. Nos. 36, 43)); *United States v. Chin*, 18-cr-10384-RGS ((PSR guidelines range: 6 to 12 months; sentence: time served—one day, one-year supervised release including three months home detention) (Doc. Nos. 14, 21)); *United States v. Herman*, 18-cr-10326-RWZ ((guidelines range (as calculated by Court): 6 to 12 months; sentence: time served—one day, one-year supervised release, including three months' home detention) (Doc. Nos. 36, 41); *United States v. McAuliffe*, 19-cr-10056-DJC (guidelines range, as calculated by Court: 6 to 12 months; sentence: time served—one day, one-year supervised release) (Doc. Nos. 35, 38); *United States v. Wilson*, 19-CR-10290 (RGS) ((PSR guidelines range: 10 to 16 months; sentence: time served—one day, two-years supervised release, including six months' home detention) (Doc. Nos. 59, 62). Even the two exceptions—State Police overtime cases where the Court imposed a prison term—support the view that a probationary

3. *Sentences Nationally.* National data shows a similar pattern. Between 2002 and 2018, United States District Courts across the nation sentenced 18,516 Criminal History Category 1 defendants who pleaded guilty to crimes governed by USSG §2B1.1 and whose guidelines range was 0 to 6 months. *See* Exhibit C, Table A. The overwhelming majority of those defendants (89.9%) received either no term of imprisonment or “time served” sentences, with probation being by far the most common sentence. *Id.*

4. *Sentences in Other Testing Fraud Cases.* While this case has attracted significant public attention, it is not the first or only highly publicized case where the Department of Justice has prosecuted fraud in connection with standardized tests taking. These cases almost always result in probationary sentences; prison sentences are exceptionally rare.

A. New Jersey. In 2002, federal prosecutors in New Jersey charged more than 50 defendants with participating in a scheme to defraud ETS by cheating on the Test of English as a Foreign Language (“TOEFL”) exam.<sup>12</sup> The defendants were foreign nationals studying at colleges and universities in the United States. *Id.* They paid imposters to take the TOEFL exam in their place. *Id.* Many colleges and universities rely on the TOEFL exam to evaluate the English proficiency of

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sentence is appropriate here. In both cases, the Court imposed a below-guidelines sentence lower than the government’s recommendation. In *United States v. Raftery*, 18-cr-10203-WGY, the defendant obtained more than \$50,000 in phony overtime. *Id.* (Doc. No. 28). The guidelines range was 12 to 18 months. *Id.* Judge Young imposed a below-guidelines three month sentence in a case, where the government recommended a six-month sentence. *Id.* (Doc. Nos. 24, 28). In *United States v. Sweeney*, 18-cr-10286-NMG, the guidelines called for an 8 to 14 month sentence; Judge Gorton imposed a two month sentence, half of what the government requested.

<sup>12</sup> *See* “Student Visa Fraud Ring Broken by 58 Arrests, Government Says,” New York Times, May 8, 2002, available at <https://www.nytimes.com/2002/05/08/national/student-visa-fraud-ring-broken-by-58-arrests-government-says.html>; “Dozens of Students Arrested Nationwide in English Language Testing Scam,” Department of Justice New Release (May 7, 2002), available at [https://web.archive.org/web/20020604112453/http://www.njusao.org/files/to0507\\_r.htm](https://web.archive.org/web/20020604112453/http://www.njusao.org/files/to0507_r.htm); *See also United States v. Al Hedaithy*, 392 F.3d 580, 582 (3rd Cir. 1984).

foreign students seeking admission. The exam is an important part of the F-1 visa process, which requires that students remain enrolled to maintain lawful status in the United States. *Id.* Counsel for the defendant has located Pacer Dockets for 50 defendants arrested in connection with the scheme. Only the ringleader was sent to prison at sentencing. *See United States v. Firas*, 02-cr-404 (D.N.J. 2002) (27 month sentence imposed). Forty-six of these defendants received probationary sentences; one received only a fine; one case was dismissed; and two defendants were sentenced to time served.<sup>13</sup>

Pennsylvania. In 2015, federal prosecutors in Pittsburgh charged 15 defendants for participating in another highly publicized scheme to defraud ETS and The College Board.<sup>14</sup> The defendants obtained counterfeit Chinese passports and used those passports to impersonate prospective students by taking the SAT, GRE or TOEFL and using the results to apply to colleges and

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<sup>13</sup>*See United States v. Abdel-Megeed*, 2:02-cr-00404; *United States v. Aiban*, 2:02-cr-00371; *United States v. Alarbash*, 1:02-cr-00364; *United States v. Al-Awi*, 3:02-cr-00359; *United States v. Albakeri*, 2:02-cr-00369; *United States v. Alenzi*, 1:02-cr-00368; *United States v. Al-Hajeri*, 1:02-cr-00363; *United States v. Alhajri*, 2:02-cr-00374; *United States v. Alharbi*, 2:02-cr-00403; *United States v. Al-Harmoodi*, 2:02-cr-0038; *United States v. Alhouli*, 2:02-cr-00401; *United States v. Alhubaidah*, 2:02-cr-00372; *United States v. Aljebreen*, 2:02-cr-00400; *United States v. Alkaabi*, 1:02-cr-00778; *United States v. Alketbi*, 2:02-cr-00396; *United States v. Alkhail*, 2:02-cr-00394; *United States v. Alkhoori*, 2:02-cr-00376; *United States v. Alkhoori*, 2:02-cr-00377; *United States v. Alkhouri*, 3:02-cr-00360; *United States v. Alkhouri*, 3:02-cr-00355; *United States v. Almahdi*, 2:02-cr-00399; *United States v. Almahmoud*, 3:02-cr-00347; *States v. Almandeel*, 2:02-cr-00390; *United States v. Almansoori*, 2:02-cr-00398; *United States v. Almazidi*, 3:02-cr-00356; *United States v. Almazroa*, 2:02-cr-00378; *United States v. Almutairi*, 2:02-cr-00365; *United States v. Alotaibi*, 3:02-cr-00350; *United States v. Al-Qimzi*, 2:02-cr-00388; *United States v. Alsehaim*, 1:02-cr-00380; *United States v. Al-Shammari*, 2:02-cr-00383; *United States v. Al-Shebli*, 3:02-cr-00361; *United States v. Al-Shirrawi*, 2:02-cr-00386; *United States v. Alsugair*, 2:02-cr-00779; *United States v. Altarkait*, 2:02-cr-00381; *United States v. Al-Themairi*, 3:02-cr-00349; *United States v. Al-Tumyat*, 2:02-cr-00384; *United States v. Alyamani*, 1:02-cr-00367; *United States v. Alzaabi*, 3:02-cr-00351; *United States v. Barasheed*, 2:02-cr-00366; *United States v. Daglar*, 1:02-cr-00392; *United States v. Dagler*, 3:02-cr-00348; *United States v. Fazel*, 2:02-cr-00385; *United States v. Firas et al.*, 2:02-cr-00404; *United States v. Hany al Hedaithy*, 1:02-cr-00379; *United States v. Khouri*, 1:02-cr-00382; *United States v. Khouri*, 2:02-cr-00375; *United States v. Shami*, 3:02-cr-00357; *United States v. Shahab*, 1:02-cr-00393; *United States v. Tahlawi*, 3:02-cr-00358.

<sup>14</sup>*See* “Fifteen Chinese Accused of Using Test-Taking Imposters for College Admission Exams,” New York Times, May 28, 2015, available at <https://www.nytimes.com/2015/05/29/us/15-chinese-accused-of-using-test-taking-impostors-for-college-entrance-exams.html>.

graduate schools in the United States. *See United States v. Han Tong et al.*, 15-cr-00111 (W.D. Pa. 2015). The guideline ranges for these cases were, typically, 6 to 12 months. *Id.* There is no record of Judges sending any to prison on their sentencing date. *Id.* Ten received terms of probation. One was sentenced to time served, with two years of supervised release. Two defendants were fugitives. *Id.* The records of two are sealed. *Id.*

C. Massachusetts. The government in this District has also brought testing fraud cases before this one, including one in this Court. In *United States v. Xinyan Wang*, 1:17-cr-10402-IT, the defendant used a counterfeit passport to take the GRE on behalf of another individual. *Id.* (Doc. No. 16). The criminal complaint charged that the defendant had also acted as an imposter to take the TOEFL on five other occasions. The guidelines range was there, as here, 0 to 6 months. *See* Transcript of Sentencing (Document No. 30). At sentencing, the government said that, from its perspective “it would make no difference whether the object of the fraud was to cheat on the TOEFL, the GRE, or the SAT.” *Id.* at 10. The Court then inquired:

THE COURT: Okay. Let's imagine it was just the GREs she had done. And, typically, for the GREs, you will typically have American citizens taking the exam, and you will still sometimes have fraudulent participation in the test taking. More likely, the person would use a driver's license probably. I don't know what their documentation -- the fake ID would not necessarily be a passport or a visa.

COURT: Does the crime seem different or the same?

THE GOVERNMENT: Absolutely worse.

*Id.* at 11. In *Wang*, The government recommended a three month prison sentence. *Id.* at 18. The Court imposed a one-year term of probation. *Id.* at 35.

This Court's sentence in *Wang* was consistent with the sentences recently imposed in other test fraud cases in the District. *See United States v. Huang*, 17-cr-10255-FDS (defendant paid an imposter to take the TOEFL on her behalf to secure admission to Pennsylvania State University;

GSR: 6 to 12 months; sentence: time served (one-day)); *United States v. Cheng*, 17-cr-10225-DJC (defendant paid an imposter to take the TOEFL on her behalf to secure admission to Arizona State University; GSR: 6 to 12 months; sentence: time served (one-day)); *United States v. Zhang*, 17-cr-10251-ADB (defendant paid an imposter to take the TOEFL on her behalf to secure admission to Northeastern University; GSR: 6 to 12 months; sentence: time served (one-day)); *See United States v. Yue Wang*, 17-cr-10237-RWZ (defendant test taker posed as three individuals to take TOEFL on their behalf; GSR: 6 to 12 months; sentence: time served (one-day)).

5. *Other Relevant Sentences in this District.* In *United States v. Vandemoer*, 19-cr-10079-RWZ, the only other so-called Varsity Blues case where sentence has been imposed, Judge Zobel rejected the government's request that a defendant who pleaded guilty to racketeering conspiracy in violation of 18 U.S.C. 1962 (d) be sentenced to prison for 13 months. Doc. No. 21. In that case, the Court concluded that the applicable guideline range was 27 to 33 months. Doc. No. 29. But the Court imposed a time served (one day) sentence, with two-years' supervised release and six months' home confinement, not incarceration. Doc. No. 29.

### **C. A Probationary Sentence Would Constitute "Just Punishment."**

While the so-called Varsity Blues cases share common features, imposing an individualized sentence requires careful attention to Ms. Huffman's conduct in light of the government's allegations against *all* the charged defendants. To be clear, Ms. Huffman does not seek to justify, excuse or minimize what she did. But disciplined examination of the facts reveals that Ms. Huffman's conduct (though certainly wrong and illegal) did *not* involve a number of the aggravating factors the government has alleged apply to other defendants. The critical distinctions are these:

1. *Ms. Huffman Did Not Seek Out Singer to Falsify Her Daughter's Test Results.* The government alleges that some parents approached Singer knowing that he would falsify test results or create phony athletic profiles in exchange for money. PSR ¶ 22. Ms. Huffman did not.
2. *Ms. Huffman Did Not Enlist Her Daughter in Criminal Conduct.* Some parents involved their own children in criminal conduct by having proctors take exams in their place, or by having those proctors provide the correct answers when the test was taking place. *Id.* ¶ 28(c). Ms. Huffman did not.
3. *Ms. Huffman Did Not Falsely Describe her Daughter as Having Learning Disabilities.* The government alleges that other defendants had “their children purport to have learning disabilities in order to obtain the medical documentation [testing agencies] typically require before granting students extended time.” *Id.* ¶ 28(a). Ms. Huffman did not.
4. *Ms. Huffman Said “No” to Singer’s Proposal to Falsify on Her Younger Daughter’s SATs.* The government alleges that other parents repeated their criminal conduct by using (or agreeing to use) Singer to commit fraud more than once. Ms. Huffman did not.
5. *Ms. Huffman Did Not Pay Singer to Take Classes for Her Daughter.* The government alleges that some defendants paid Singer to take college classes for their children. *Id.* ¶ 20. Ms. Huffman did not.
6. *Ms. Huffman Did Not Falsify Information About Her Daughter’s Race, Ethnicity, and Extracurricular or Athletic Activities.* The government alleges that, in many of these cases, parents falsified information about their children’s race, ethnicity, or extracurricular activities. *Id.* Ms. Huffman did not.
7. *No Parent Paid Less to Singer than Ms. Huffman.* Of the 43 parents charged in the original complaint in this case, Ms. Huffman was one of three parents who paid Singer the least (\$15,000) to participate in his scheme.
8. *Ms. Huffman Promptly Accepted Responsibility and Expressed Genuine Regret for Her Actions.* Ms. Huffman recognized that what she did was wrong from the start. After her arrest, she did not seek to minimize her actions or make excuses for them.

**D. A Probationary Sentence Would Provide Adequate Deterrence and Promote Respect for the Law.**

18 U.S.C. § 3553(a)(2)(B) requires the Court to consider whether a sentence would “afford adequate deterrence to criminal conduct” and “promoted respect for the law.” The sentence Ms. Huffman proposes would do both. First, a federal felony conviction, coupled with a term of probation and a condition requiring significant community service, constitutes substantial punishment, particularly where a non-incarceration sentence is by far the most typical sentence imposed in similar circumstances. The Supreme Court recognized in *Gall v. United States*, 552 U.S. 38, 48-49 (2007) that probation supervision “is not an act of leniency” but “substantial restriction of freedom” (quoting sentencing judge). As the Supreme Court observed, while

custodial sentences are qualitatively more severe than probationary sentences of equivalent terms offenders on probation are nonetheless subject to several standard conditions that substantially restrict their liberty. *See United States v. Knights*, 534 U. S. 112, 119 (2001) (‘Inherent in the very nature of probation is that probationers “do not enjoy the absolute liberty to which every citizen is entitled”’(quoting *Griffin v. Wisconsin*, 483 U. S. 868, 874 (1987))). Probationers may not leave the judicial district, move, or change jobs without notifying, and in some cases receiving permission from, their probation officer or the court. They must report regularly to their probation officer, permit unannounced visits to their homes, refrain from associating with any person convicted of a felony, and refrain from excessive drinking. USSG §5B1.3. Most probationers are also subject to individual ‘special conditions’ imposed by the court.

*Id.* This sentiment has been echoed by other Judges in the District of Massachusetts. As Judge Gertner observed in one of the first sentencing hearings conducted in this District after *Gall*:

*Gall* recognized for the very first time in a very long time that probation is not nothing, that there are substantial restrictions on an individual’s freedom in probation, that we can structure a probationary sentence that meets all the purposes of sentencing, and that is entirely appropriate.

*United States v. Ramos*, No. 04-cr-10275-NG (D. Mass. 2008) (ordering probationary sentence for substantial OxyContin trafficking where guidelines range was 37-46 months). Judge Stearns' observations at sentencing in *United States v. Prosperi*, 686 F.3d 32 (1<sup>st</sup> Cir. 2012) also deserve attention:

I think it is very difficult at times, for those of us who are judges or prosecutors or lawyers, to put ourselves in the shoes of a person with no prior experience with the criminal justice system who finds himself or herself accused of a crime. I do not think, sometimes, we fully recognize the anguish and the penalty and the burden that persons face when called to account, as these men are, for the wrong that they committed.

*Id.* at 43-44 (upholding a sentence of probation with six months' home confinement and 1,000 hours of community service where the District Court calculated the guidelines range as 87 to 108 months.)

The Court does not have to send Ms. Huffman to prison to deter others from engaging in similar criminal conduct. Ms. Huffman's experience here (which, to be clear, she recognizes she brought on herself) is nothing anyone would bargain for given the consequences she has *already* faced. She was arrested at home by FBI agents who entered her teenage daughters' bedrooms and woke them at gunpoint. She immediately became part of a major public spectacle. Her sole motive in committing this crime was to clear the way for Sophia to be able to compete for admission at performing arts schools based on her acting ability. But the result was precisely the opposite: Sophia will not be going to college next year at all. Exhibit D, Tab 1 (William Macy Letter). Even schools that do not require the SATs declined to permit her to audition after her mother's arrest. Ms. Huffman is working hard to heal the divisions in her family, but her daughters remain deeply angry at her, and she must live day to day with the shame that she has tarnished their name as well



as her own. *Id.* Ms. Huffman does not know when she will work again, or if she will at all. She has received not a single offer or audition since her arrest. *Id.*

Ms. Huffman recognizes that the consequences her actions brought about are in most respects no different than many defendants this Court sentences. But they are real. The vast majority of defendants in her guidelines range are not sentenced to prison. General deterrence is not a sufficient justification to treat Ms. Huffman differently.

**E. Ms. Huffman’s Crime Represents a True Aberration from Her Life; Consideration of the Ms. Huffman’s “History and Characteristics” Makes a Probationary Sentence Appropriate Here.**

The PSR, and the 28 letters submitted with this Memorandum, provide a compelling picture of Ms. Huffman’s background and character. The PSR describes Ms. Huffman’s background. While Ms. Huffman did not face the kind of privation that many defendants sentenced in this Court face, her childhood was far from storybook. *See* PSR ¶¶102-105. The letters provide the best picture of who Felicity Huffman truly is. They are remarkable for the consistent way they describe Ms. Huffman’s character. No brief summary can do justice to the *depth* of feelings the letters convey, and this summary is not intended as a substitute for the letters themselves. But three major themes run through the letters.

First, the letters describe a woman with an enormous heart, who demonstrates extraordinary kindness and a spirit of generosity to people who are struggling and need help. And she does not just *talk* about helping; she shows up. Friends, neighbors, co-workers, and strangers—all bear witness to this. This is a trait she has exhibited since she was young. A few examples convey the picture. As a young woman, and at time when the AIDs epidemic was poorly understood, she became a primary caretaker for a family friend and fellow actor, Ray Underwood, who was dying in Los Angeles. As Ray’s brother Val Underwood describes:

Ray was a victim of the AIDS epidemic of the late 80's and early 90s. Ray was well loved by many, but when he became ill the large majority of his friends disappeared. . . . Felicity was one of that handful who formed Ray's care team. At that point in her life, she was a young, vibrant actress with a promising career and surely could have chosen other ways to spend her time. This was also a time when HIV infection was not fully understood and surrounded by fear. Yet whenever Felicity was needed, she would make herself available to relieve me as his principle caregiver. . . . On one of the worst evenings of my life, I asked Felicity to stay with Ray while I went to a consultation with one of his doctors to learn that he had contracted an opportunistic brain virus.

*See Exhibit D, Tab 4 (Val Underwood Letter); id., Tab 5 (Betsey Huffman Letter).*

Friends know they can count on Ms. Huffman. Laura Bauer, whom Ms. Huffman has known since the 1990s, describes how Ms. Huffman responded when she learned that Ms. Bauer had been in a freak accident in a New York convenience store:

I fell a full story and landed on my head, bit through my tongue, and knocked all my teeth loose. The stage manager, went down the ladder, picked me up and carried me out of the establishment and home 2 blocks. When he arrived he got me settled and despite it being 2:00AM, he called Flicka. That's her nickname. When you are shaken up, when it is the middle of the night, when you are hurt, you can call Flicka. He told her what had happened, she yelled at him for moving me, cancelled her trip and met us at the hospital. The following period of recovery for me was very difficult. She advocated for me with doctors, spread the word to friends that I needed care and support and was there for me until I was stabilized and on my way to health.

*Id.*, Tab 4 (Laura Bauer letter). Another long-time friend, Kate Blumberg, writes:

Somehow Felicity got wind of the fact that I was struggling, that I wasn't well, that I wasn't coping. At this time, I was living in New York, and Felicity had long ago moved to Los Angeles. Out of the blue, I received a phone call from her to inform me that she would be stopping by. Before I knew it, she was at my apartment building. She came into my apartment and saw me still in my pajamas in the middle of the day. She sat on the bed with me, never pressuring me to get up, but rather just sat there listening while I spoke of my pain. As I am typing this, I am crying remembering that moment. She became my lifeline. She shared her personal experiences of going through a similar time, she gave me advice, guidance, support.

*Id.* Tab 5 (Kate Blumberg Letter). Later, when Blumberg and her family moved to Los Angeles, “Felicity and Bill opened their house to us and we lived with them for 6 months. When we finally moved into our house in Los Angeles, she showed up one day with metal shelving units and cleared out my garage and configured it into a playroom for my kids.” *Id.* (Todd Weeks letter).

People *without* long histories with Ms. Huffman recite similar stories. Ellen Etten, whom helped Ms. Huffman with childcare, describes how she was treated: “What I met with was the warmest, kindest, most loving environment I’ve ever experienced.” *Id.* Tab 6 (Ellen Etten Letter). Huffman immediately made her feel that she “was part of the family.” *Id.* A local actor Ms. Huffman worked with on a film in Oklahoma describes how Ms. Huffman reacted when the state was met with devastating tornado:

We picked up Felicity and loaded up items she had purchased earlier that day. Diapers, women’s products, cleaning supplies, water from Felicity were all loaded up . . . and then we drove down to Moore, Oklahoma.

One elderly woman sat in a lawn chair crying, as she lost her cat in the storm. This cat was all she had left in life, on top of losing her home. Felicity kneeled down with her, hugged her and cried with her. This woman had no idea who she was at the time other than she seemed like a typical Oklahoman, there to help. And that day, Felicity was. We moved from rubble to rubble, helping and hugging, and suddenly Felicity heard a sound in an old pickup. She said that it sounded like an animal was trapped or inside. We looked under the seat and there was a cat. She looked up at me and the owner of the truck, ‘what if that’s her cat.’ It was. Felicity brought more than just joy with her that day. I watched as she walked the shaking feline down the torn-up sidewalk back to the older woman still sitting wondering what to do next. Tears flowed from everyone as the woman hugged her cat again.

*Id.* Tab 7. (Lucas Ross Letter). Two letters describe Ms. Huffman at work. Marc Cherry, the creator of *Desperate Housewives*, where Ms. Huffman was part of the cast for nine years, describes Ms. Huffman on the set. *Id.* Tab 8 (Marc Cherry Letter). In one revealing anecdote, he describes how Ms. Huffman worked with an older actress who was struggling. As he writes:

[When] I saw the dailies it moved me to tears—this formerly great performer was struggling with practically every word. But Felicity Huffman was right next to her, treating her with so much kindness. Gallantly throwing her cues and gently reminding her which lines to move on, etc. Take after take it went on. The actress, who was in her seventies, started becoming increasingly flustered and embarrassed at her inability to do her job. But Felicity remained patient and supportive and helped this old woman through the day, turning what could have been a very tense situation into a master class on human compassion.

Another actress on the show—the least experienced actress of the five “Housewives,” describes how “[w]hen I began the TV show, I was very new to the business and industry as a whole. Felicity was the first one to take me under her wing . . . to a young, naïve, Mexican girl who felt like I didn’t belong, those gestures meant the world to me. She mattered.” *Id.* Tab 9 (Eva Longoria Baston letter).

Ms. Huffman’s family has seen her compassion more often than anyone else. She has consoled a sister through the death of a son, helped another address the death of her closest sister, and helped nieces and nephews battling depression or seeking career advice. *Id.* Tab 10 (Isabel Belden Letter); Tab 11 (Grace Huffman Letter), Tab 12 (Jessie Huffman Letter); Tab 13 (Joseph Huffman Letter.)

A second theme emerges from the letters. Ms. Huffman has displayed a deep and abiding commitment to the causes she has championed. Ms. Huffman knew little about LACHSA, the public performing arts school that draws a diverse group of students from all over Los Angeles, until Sophia began attending. But when she learned of the kind of help the school needed, she jumped in with both feet. As LACHSA’s former principal writes, Ms. Huffman “could be counted on to roll up her sleeves” to support the school, “serving dinners during tech week and performance nights . . . striking the scenery/sets and even cleaning the bathrooms after the show.” *Id.* Tab 14 (Mitzi Lizarraga Letter). The co-President of the LACHSA’s charitable foundation writes: Ms.

Huffman “approached this work like it was her second job, volunteering countless hours of her time, devoting her creative energy, sharing her professional expertise, and generously supporting the school in other ways.” *Id.* Tab 15 (Stella Jeong Letter). Ms. Huffman and her husband “taught master classes [and] had students over to their house to rehearse.” *Id.* She, too, describes Ms. Huffman “as down to earth as they get . . . a roll-up-her-sleeves-and-get-it-done kind of person who loved to get into the weeds.” *Id.* Ms. Huffman and her husband also provided—and called on their friends and contacts to provide—financial support for the school, organizing and hosting “four fundraisers (two in their own home) featuring extraordinary student performance and exhibitions.” *Id.* These fundraisers raised more than “\$1 million to be used in exclusively in support of LACHS students’ and their education.” *Id.* Tab 14 (Mitzi Lizarraga Letter). Through the school’s foundation, Ms. Huffman also successfully spearheaded teacher salary raises for the part-time teaching artists in 2018-2019. *Id.*

Ms. Huffman’s volunteer and fundraising work for LACHSA was nothing out of the ordinary for her. Over the years—and long before the charges were brought in this case—she has consistently answered the call when organizations she believes in have asked for her help. Year after year, for example, she has devoted time to raising awareness and money for cancer and women’s health research, performing or serving as the keynote speaker at events, serving as a volunteer spokesperson, filming public service announcements and participating in telethons. *See* Murphy Affidavit, ¶5. She has played similar roles in efforts to raise funds for at-risk youth, classroom teachers, homelessness, LGBTQ rights, Latina children, humanitarian relief, human rights campaigns, environmental initiatives, reproductive freedom, women’s empowerment, and the “Time’s Up” movement. *Id.* ¶6. *See also* Exhibit D (Tab 9) (Eva Longoria Baston Letter).

One final theme emerges. The letters leave no doubt about Ms. Huffman's devotion as a mother. But they also show that she has also found being a parent extraordinarily challenging—"bewildering" as she herself describes it. Exhibit A. Daniel and Benjamin Barnz, former neighbors whose daughter and son often played with Ms. Huffman's daughters, describe Ms. Huffman involvement in the children's "baking, fort-making, gardening [and] scavenger hunts." Exhibit D (Tab 16). But they also write: "In private conversations, Felicity was very open about the trials and tribulations of parenting. She was often self-critical when it came to her skills as a parent; in our opinion, unfairly so." Another parent who met Ms. Huffman as an elementary school mother writes that Ms. Huffman "was the mom on the playground actively playing with the kids: chasing them, pushing them on the swing, taking turns on the slide with them." *Id.* Tab 17 (Amelia Hamilton Letter). But Ms. Hamilton writes that "she was also struck by how open she was about the challenges of motherhood. We would often talk about how wonderful AND hard it was at the same time." *Id.* Ms. Huffman's letter candidly describes her insecurity about motherhood. Exhibit A. William Macy writes about how Ms. Huffman "read a book called 'The Gift of a Skinned Knee' and was so impressed by the author, Wendy Mogul, she made it her quest to meet Ms. Mogul and talk to her about raising children." *Id.* Tab 1. (William Macy Letter). Over six years, Ms. Huffman sought Ms. Mogul's professional help to guide her as a parent, "never focused on the status aspects or social opportunities but rather worked to discern the best match for each her daughter's true interests, abilities and challenges." *Id.* Tab 18 (Wendy Mogel Letter).

In this case, Ms. Huffman's lack of confidence about her abilities as a mother became her Achilles heel. When Singer proposed his scheme, Ms. Huffman abandoned her inner sense of right and wrong, gave way to her doubts and uncertainties, and made the wrong decision. The letters

before the Court, which attest to her “history and characteristics,” show that she will never make a choice like that again.

**F. Ms. Huffman’s Proposed Community Service Placements.**

The guidelines authorize the Court to impose community service as a special condition of probation. *See* USSG §5F1.3. Ms. Huffman asks the Court to order 250 hours of community service as a special condition of probation. Sentencing Judges sentencing defendants in Ms. Huffman’s guideline range do not commonly order community serve as a special condition of probation.<sup>15</sup> When Judges do order community service, they do not typically require defendants to perform as many as 250 hours. *Id.* Here, however, it would represent a meaningful aspect of sentencing and punishment—certainly more beneficial than sending Ms. Huffman to prison.

Subject to the approval of the Probation Department, Ms. Huffman proposed to serve any community service the Court orders with two Los Angeles organizations: the Teen Project and the Community Coalition. Murphy Aff. ¶7. Both serve at risk-youth in the Los Angeles area. *Id.* The Teen Project, *see* <http://theteenproject.com/>, operates an addiction recovery program for teenagers aging out of the foster care system. *Id.* If approved by the Court and the Probation Department, Ms. Huffman would work onsite at the program, helping the project’s residents progress through their individualized recovery plans, supporting the organization’s efforts to provide job skills training and helping residents obtain high school equivalency certifications. *Id.* The Community Coalition, among other things, works to increase college matriculation and disrupt the school to prison

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<sup>15</sup> Of the 127 similar Massachusetts cases cited above, see Exhibit C (Table D) Judges imposed community service in nine. Seven of those nine defendants received 250 hours or fewer of community service; two received 400 hours. Nationally, of the 13,858 defendants sentenced to probation, 2,970 (16%) were ordered to perform community service as special condition of probation. *Id.* (Table B). More than 90% of these defendants were ordered to perform fewer than 200 hours of community service. *Id.*

pipeline. See <http://cocosouthla.org/>. If approved, Ms. Huffman would tutor young people, assist with financial aid applications, answers phone calls at the front desk, and help with the organization's outreach efforts. Both organizations have agreed, if approved, to report on Ms. Huffman's participation to Probation. Having Ms. Huffman perform community service with disadvantaged youth would be a fitting and proper way for her to pay for the crime she committed..

**VI. CONCLUSION**

Ms. Huffman is deeply remorseful for her crime. She recognizes that she deserves to be punished for what she did. 18 U.S.C. §3553(a) calls for the Court to impose a sentence that is "sufficient, but not greater than necessary" to serve the purposes of sentencing. The sentence proposed here does exactly that.

Respectfully submitted,

FELICITY HUFFMAN  
By her attorneys,

/s/ Martin F. Murphy

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DATED: September 6, 2019



**CERTIFICATE OF SERVICE**

I hereby certify that this document filed through the CM/ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on this 6th day of September 2019.

*Martin F. Murphy*  
Martin F. Murphy

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

UNITED STATES OF AMERICA,	)	Criminal No. 19-10117
	)	
	)	
v.	)	
	)	
FELICITY HUFFMAN,	)	
<i>Defendant</i>	)	

**EXHIBITS TO FELICITY HUFFMAN’S SENTENCING MEMORANDUM**

- A. Defendant Felicity Huffman’s Letter to the Court.
- B. Affidavit of Martin F. Murphy.
- C. Report of MCM Data Consulting Concerning Federal Sentencing Data Analysis.
- D. Letters in Aid of Sentencing:

TAB	NAME
1	William Macy
2	Val Underwood
3	Betsey Huffman
4	Laura Bauer
5	Kate Blumberg and Todd Weeks
6	Ellen Etten
7	Lucas Ross
8	Marc Cherry
9	Eva Longoria Baston
10	Isabel Belden
11	Grace Huffman
12	Jessie Huffman
13	Joseph Huffman
14	Mitzi Lizarraga
15	Stella Jeong
16	Daniel and Benjamin Barnz
17	Amelia Hamilton
18	Wendy Mogel

TAB	NAME
19	Deborah Kory
20	Mary McCann and Neil Pepe
21	Buck Jones
22	Jessie Huffman
23	Moore Huffman
24	Moore Huffman
25	Barry Muniz
26	Thomas Alderson
27	Douglas E. Phelps

Respectfully submitted,

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Martin F. Murphy

Martin F. Murphy

# Exhibit A

September 4, 2019

Felicity Huffman  
Los Angeles, Ca 90028

Hon. Indira Talwani  
United States District Court  
One Courthouse Way  
Boston, MA 02210

Dear Judge Talwani:

Thank you for the opportunity of writing this letter to you. Although I know I will have the chance to address you at my sentencing, I would like to offer you a broader perspective and insight into who I am as a person and a parent.

But first let me say, I am concerned that in giving you context it will seem like I am offering you a justification. Please, let me be very clear; I know there is no justification for what I have done. Yes, there is a bigger picture, but ultimately it doesn't matter because I could have said "No" to cheating on the SAT scores. I unequivocally take complete responsibility for my actions and will respectfully accept whatever punishment the court deems appropriate.

I keep asking myself, why did I do this? Why did I say yes to a scheme of breaking the law and compromising my integrity? What interior forces drove me to do it? How could I abandon my own moral compass and common sense? Those questions require a somewhat longer answer which involve both factual and personal responses. I will attempt to give you an insight into both.

The factual story is that I didn't go shopping for a college counselor to find out how to rig a SAT score. I didn't even know such a scheme existed. I hired a counselor for guidance and expertise on how to apply to colleges as successfully as possible for my daughter, Sophia.

I have been seeking advice, asking doctors, and trusting experts to help me with Sophia since she was 4 years old when it became clear to me that she struggled with everyday activities. At this age, she couldn't even walk across a lawn in bare feet without flipping out. Tags in her shirt would cause a 20-minute meltdown. She didn't know how to physically play with other kids, and most often she couldn't sleep. Her nursery school recommended Occupational Therapy. As Sophia began to work with the therapists, I came to understand that she had Sensory Modulation Issues. At the time, I had no idea what that was, but basically, she would under or over respond to the outside world and couldn't regulate herself. When she was eight years old, her school recommended she get tested by a neuropsychologist. She was diagnosed with learning disabilities, and she has

been retested every three years as was recommended. I am grateful to this day for all the advice, help and expertise that we were fortunate to get, but these things did become a big part of my parenting and, regrettably, I came to rely on them too much. They came to outweigh my maternal instincts and eventually, in point of fact, my moral compass.

In High School my daughter went to a public school for the performing arts. At this school, which remains very underfunded, there is one college counselor for 300 students. Many mothers, whose children had graduated, warned me not to leave the college process in the hands of the administration as they were overworked and understaffed. They advised me that a private college counselor was a vital necessity and we were fortunate to be able to afford one. Mr. Singer was recommended as one of the best experts in LA, and I was told I would be lucky if I could get him to sign on to help me with Sophia. I came to think this was particularly important given Sophia's learning challenges.

I worked with Mr. Singer legitimately for a year. I also engaged him for my second daughter, Georgia, who also has serious learning disabilities, so she could benefit from his expertise. I was relieved that he seemed so good at his job, was so confident and knowledgeable. Sophia was passionate about majoring in theater, but over time, Mr. Singer told me that her test scores were too low and, if her math SAT scores didn't rise dramatically, none of the colleges she was interested in would even consider her auditions.

I honestly didn't and don't care about my daughter going to a prestigious college. I just wanted to give her a shot at being considered for a program where her acting talent would be the deciding factor. This sounds hollow now, but, in my mind, I knew that her success or failure in theater or film wouldn't depend on her math skills. I didn't want my daughter to be prevented from getting a shot at auditioning and doing what she loves because she can't do math.

After nearly a year of working with Mr. Singer and his tutors, he told me it wasn't enough. Sophia's math scores were not measuring up. We still had a serious problem and, according to him, he had the solution. He told me, "We will make sure she gets the scores she needs," by having a proctor bump up her scores after she takes the test. Sophia would never know and then she could, "Concentrate on what really matters: her grades and her auditions." He said he did it for many of his students.

I was shocked that such a thing existed and after he made the initial suggestion, it remained on the table. I couldn't make up my mind for six weeks. I kept going back and forth while avoiding a final decision. I felt an urgency which built to a sense of panic that there was this huge obstacle in the way that needed to be fixed for my daughter's sake. As warped as this sounds now, I honestly began to feel that maybe I would be a bad mother if I didn't do what Mr. Singer was suggesting.

To my utter shame, I finally agreed to cheating on Sophia's SAT scores, and also considered doing the same thing for Georgia. But the decision haunted me terribly; I knew it was not right. I finally came to my senses and told Mr. Singer to stop the process for Georgia.

Here is the personal side of my story. I find Motherhood bewildering. From the moment, my children were born I worried that they got me as a Mother. I so desperately wanted to do it right and was so deathly afraid of doing it wrong. My own fears and lack of confidence, combined with a daughter who has learning disabilities often made me insecure and feel highly anxious from the beginning. I was always searching for the right book or the right piece of advice that would help me help my daughters or keep me from making the mistakes that might damage their lives.

In my desperation to be a good mother I talked myself into believing that all I was doing was giving my daughter a fair shot. I see the irony in that statement now because what I have done is the opposite of fair. I have broken the law, deceived the educational community, betrayed my daughter, and failed my family. When my daughter looked at me and asked with tears streaming down her face, "Why didn't you believe in me? Why didn't you think I could do it on my own?" I had no adequate answer for her. I could only say, "I am sorry. I was frightened and I was stupid." In my blind panic, I have done the exact thing that I was desperate to avoid. I have compromised my daughter's future, the wholeness of my family and my own integrity.

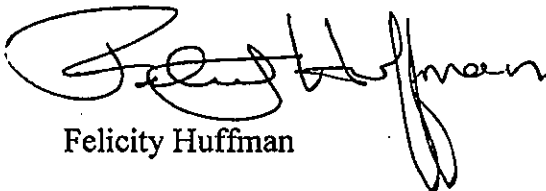
I don't write this letter to you in any way to justify my wrongdoing, my guilt or to avoid conscious acceptance of the consequences. I am writing you to shed light on how I finally got to the day when I said "Yes" to this scheme.

I have a deep and abiding shame over what I have done. Shame and regret that I will carry for the rest of my life. It is right that I should carry this burden and use it as fuel for change in my own life and hopefully it will be a cautionary tale for my daughters and the community.

As painful as this has been, I am truly grateful for the lessons I have learned and for the opportunity to change and live more honestly. I am now focusing on repairing my relationship with my daughter, my family and making amends to my community.

Thank you for reading my letter. I appreciate the opportunity to explain, but not excuse what happened.

Sincerely,

A handwritten signature in black ink, appearing to read 'Felicity Huffman', with a large, stylized flourish at the end.

Felicity Huffman

# Exhibit B



**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

UNITED STATES OF AMERICA,	)	Criminal No. 19-10117
	)	
	)	
v.	)	
	)	
FELICITY HUFFMAN,	)	
<i>Defendant</i>	)	

**AFFIDAVIT OF MARTIN F. MURPHY**

I, Martin F. Murphy, hereby state under oath:

1. I am counsel of record to Felicity Huffman.
2. On July 11, 2019, I listened to a number of recordings at the United States Attorney's Office between Ms. Huffman and Rick Singer.
3. One of those recordings documents a meeting on October 16, 2018. In that meeting Mr. Singer states: "\$15,000 investment, she got a 1420, which is huge. No school can say no to her based on scores. Now it's about ability. That was a smart move."
4. Another recording documents a telephone conversation on March 5, 2018. In that call, Ms. Huffman stated that she was "not going to go the same route with Georgia as we did with Sophia. It just doesn't feel right."
5. Based on discussions with Ms. Huffman and a review of the public record concerning Ms. Huffman's involvement in charitable causes, I have compiled a partial list of events and causes Ms. Huffman has supported. The record shows that, year-after-year, she has devoted time to raising awareness and money for the causes she supports. For example, she has frequently participated in pro concerning cancer and women's health research, performing or serving as the keynote speaker at events,

serving as a volunteer spokesperson of on host committees, filming public service announcements and participating in telethons. Examples include:

- *National Breast Cancer Coalition Event – “Les Girls 5”* (October 17, 2005) <https://imagecollect.com/picture/felicity-huffman-photo-256463/les-girls-5-cabaret;>
- *Entertainment Industry Foundation- Revlon Run/Walk* (May 13, 2006); <https://www.gettyimages.co.uk/detail/news-photo/the-13th-annual-revlon-run-walk-for-women-in-los-angeles-news-photo/115113325?adppopup=true>
- *Entertainment Industry Foundation- “If You Were My Sister” campaign* (August 29, 2007), <https://www.youtube.com/watch?v=UDKY4mwb0T8;>
- *National Breast Cancer Coalition Fundraiser - “Les Girls”* (October 8, 2007), <http://imagecollect.com/picture/felicity-huffman-photo-3877447/seventh-annual-all-star-les-girls;>
- *Spirit of Women Red Shoe Celebrity Auction* (February 5, 2008), <https://www.looktothestars.org/news/337-celebrity-shoe-auction-for-womens-heart-health;>
- *Entertainment Industry Foundation – Women’s Cancer Research Fund* (February 20, 2008), [http://www.zimbio.com/photos/Felicity+Huffman/Saks+Fifth+Avenue+Unforgettable+Evening+Benefit/WEcEIW9Wy\\_1;](http://www.zimbio.com/photos/Felicity+Huffman/Saks+Fifth+Avenue+Unforgettable+Evening+Benefit/WEcEIW9Wy_1;)
- *EIF Women’s cancer research fund “shower for the cure”* (October 1, 2009); <https://www.youtube.com/watch?v=UiheOTIA4k;>
- *The Heart Truth Red Dress Collection 2010 Fashion Show* (February 11, 2010), <https://www.youtube.com/watch?v=HKC25bUWC4o;>
- *Charity Ambassador for Lee National Denim Day* (May 2010), <https://www.youtube.com/watch?v=rx3c-TlQwqo;>
- *CurePC PSA* (March 3, 2012), <https://www.ispot.tv/ad/7ov7/the-lustgarten-foundation-featuring-felicity-huffman;>
- *Ford Warriors In Pink Day* (September 26, 2014), <https://www.youtube.com/watch?v=4PFLzbNlcQ;>
- *PSA Stand Up To Cancer* (March 30, 2017); <https://people.com/human-interest/felicity-huffman-psa-stand-up-to-cancer/>

6. The public records show that she has played a similar role in efforts to raise funds for many other causes, including:

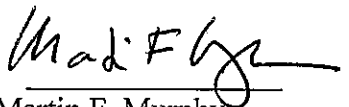
- at-risk children—see *Clothes Off Our Back Event* (September 13, 2007), <https://www.shutterstock.com/image-photo/felicity-huffman-platinum-guild-international-clothes-110972474;>

- class room teachers—*see* “Day Made Better” Event (October 1, 2008), <https://officedepot.gcs-web.com/news-releases/news-release-details/today-officemax-surprises-1300-teachers-second-annual-day-made>;
- homelessness, —*see* Homeless Not Toothless Event (September 8, 2009), <https://www.homelessnottoothless.org>; Homeless Youth Fundraiser (February 6, 2010), <http://www.zimbio.com/photos/Felicity+Huffman/Cast+ABC+Desperate+Housewives+Step+Up+Benefit/F86l58kMReV>;
- LGBTQ rights—*see* Human Rights Campaign: Advocating for LGBTQ Equality (July 30, 2005), <https://www.hrc.org/viral>;
- Latina children, —*see* Padres Contra El Cancer (September 23, 2010), <https://www.youtube.com/watch?v=u9nytQsILmE> (at 2:50); Vanity Fair and Chrysler Celebration of the Eva Longoria Foundation (February 23, 2012); <http://www.zimbio.com/photos/Felicity+Huffman/Vanity+Fair+Chrysler+Celebration+Eva+Longoria/ToVtcBWf2SV>;
- humanitarian relief, —*see* International Medical Corps Benefit (October 16, 2010), <https://www.youtube.com/watch?v=acdGLYAg4UI&hd=1>;
- human rights campaigns, —*see* Human Rights Action Center – Burma “It Can’t Wait” PSA (2008), <https://www.youtube.com/watch?v=q2msECrq300>;
- environmental initiatives—*see* Rain Forest Action Network Event (April 20, 2006), <https://www.gettyimages.es/detail/fotograf%C3%ADa-de-noticias/felicity-huffman-and-william-h-macy-during-fotograf%C3%ADa-de-noticias/120831871?adppopup=true>; UCLA’s 2018 Institute Of The Environment And Sustainability (IoES) Gala (March 22, 2018); <https://www.ioes.ucla.edu/event/2018-ioes-gala-sea-co2-change/>;
- reproductive freedom, *see* Champion of Choice at Planned Parenthood Advocacy Project: Politics, Sex And Cocktails Fundraising Event (October 6, 2009), [https://www.gettyimages.com/detail/news-photo/actress-felicity-huffman-attends-planned-parenthood-news-photo/120821477?uiloc=thumbnail\\_more\\_from\\_this\\_event\\_adp&uiloc=thumbnail\\_more\\_from\\_this\\_event\\_adp](https://www.gettyimages.com/detail/news-photo/actress-felicity-huffman-attends-planned-parenthood-news-photo/120821477?uiloc=thumbnail_more_from_this_event_adp&uiloc=thumbnail_more_from_this_event_adp); NARAL Pro-Choice America’s Luncheon (February 10, 2011, <http://www.zimbio.com/photos/Felicity+Huffman/NARAL+Pro+Choice+America+Luncheon/Nzs8m36sWHf>;
- women’s empowerment, *see* Keynote speaker for Women’s Expo on Female Empowerment (October 2012), <https://raycepr.com/la-ultimate-womens-expo/>; PSA video for LOOK WHAT SHE DID (April 2017); <https://www.facebook.com/watch/?v=1623717694381635>; LOOK WHAT SHE DID fundraising luncheon (February 2018), <https://www.classy.org/event/look-what-she-did-benefit-brunch/e224602>;
- rape prevention, *see* The Rape Foundation Annual Brunch (October 7, 2018); <https://www.gettyimages.com/detail/video/felicity-huffman-and-william-h-macy-on-why-they-came-out-news-footage/1050902688>; and

- the “Time’s Up” movement. See <https://www.hollywoodreporter.com/news/times-up-sexual-harassment-prevention-initiative-launched-by-hollywood-women-1070896>

7. Subject to the approval of the Probation Department, Ms. Huffman proposed to serve any community service the Court order with two Los Angeles organizations: the Teen Project and the Community Coalition. Both serve at risk-youth in the Los Angeles area. The Teen Project, see <http://theteen-project.com/>, operates an addiction recovery program for teenagers aging out of the foster care system. If approved by the Court and the Probation Department, Ms. Huffman would work at the program, helping the project’s residents progress through their individualized recovery plans, supporting the organization’s efforts to provide job skills training and helping residents obtain high school equivalency certifications. The Community Coalition, among other things, works to increase college matriculation and disrupt the school to prison pipeline. See <http://cocosouthla.org/> Ms. Huffman, If approved, Ms. Huffman would tutor young people, assist with financial aid packages, answers phone calls at the front desk, and help with the organization’s outreach efforts. Both organizations have agreed, if approved, to report on Ms. Huffman’s participation to Probation,

Signed under the pains and penalties of perjury this 6<sup>th</sup> day of September 2019.

  
Martin F. Murphy

# Exhibit C



## MEMORANDUM

**TO:** Martin Murphy, Esquire  
Attorney for Felicity Huffman

**FROM:** Meredith Patti, Esquire  
Mary Cate Rush, Chief Statistician

**DATE:** September 2, 2019

**SUBJECT:** HUFFMAN – FEDERAL SENTENCING DATA ANALYSIS (FSDA)

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Title 18 USC §3553(a)(6) directs that the “need to avoid unwarranted sentence disparities among defendants with similar records who have been found guilty of similar conduct” be considered when imposing sentence. To this end, we were retained to prepare a data analysis to determine comparative sentences imposed on defendants most similar to Ms. Huffman.

*Ms. Huffman pleaded guilty to violating 18 USC §1349 and will be sentenced in United States District Court for the District of Massachusetts. Ms. Huffman is a Criminal History Category I (zero criminal history points) and will not receive a substantial assistance downward departure pursuant to USSG §5K1.1. Under the terms of Ms. Huffman’s plea agreement, Ms. Huffman has agreed to take the position that she should be scored according to USSG §2B1.1 as follows: 7-level increase for Base Offense Level; 2-level increase for Loss; and 2-level decrease for Acceptance of Responsibility. This yields a Total Offense Level of 7 (0-6 months of imprisonment). Ms. Huffman’s Presentence Investigation Report (PSR) states that she should not receive any increase in levels for loss amount. Therefore, according to her PSR, Ms. Huffman’s Total Offense Level is 5 (0-6 months of imprisonment).*

### THE USSC DATABASE

The United States Sentencing Commission (USSC) maintains a comprehensive, computerized data collection system of federal sentencing information.<sup>1</sup> Pursuant to 28 USC § 994(w) each chief judge of a district is required to ensure that within 30 days after entry of judgment in a criminal case the sentencing court submits a report of the sentence to the Commission that includes: (1) the judgment and commitment order; (2) the statement of reasons

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<sup>1</sup> This data collection can be found at <http://www.ussc.gov/research/datafiles/commission-datafiles>.

(including the reasons for any departures or variances); (3) any plea agreement; (4) the indictment or other charging document; (5) the presentence report; and (6) any other information the Commission needs.

This collection contains information on federal criminal cases sentenced under the Sentencing Guidelines and Policy Statements of the Sentencing Reform Act of 1984. The data files included in this study contain all cases received by the USSC that were sentenced between October 1, 1998 and September 30, 2018. United States Federal Courts handled over 1.4 million criminal cases between the fiscal years 1999 and 2018. The USSC estimates that 99% of all cases are included in this dataset.

#### **DATA ANALYSIS**

- STEP 1:** For purposes of this analysis, we utilized the data sets for fiscal years 2002-2018 (see Step 3 for detailed explanation).
- STEP 2:** Selected cases to include only those where the information related to a defendant's guideline calculation(s) represented known court findings. That is, only those cases where the court either agreed with the probation officer's calculations of the sentencing guidelines or where the court clearly documented any changes it made to a defendant's guideline calculation. Total cases = 1,110,411. (This represents approximately 88% of all cases.)
- STEP 3:** Beginning in the November 2001 Guidelines Manual significant changes were made to USSG §2B1.1. Most notably, there were numerous changes made to the loss table in USSG §2B1.1. In order to capture those cases most similar to the guideline under which Ms. Huffman is scored, we selected only those cases where the defendant was scored according to a 2001 or later Guidelines Manual. Further, we selected only those cases where the defendant's statutory guideline was either USSG §2B1.1 or USSG §2X1.1 and USSG §2B1.1 was used to calculate the defendant's guideline scoring.

- **988,119 cases Deleted**
- **122,292 cases Remain**



**STEP 4:** Ms. Huffman is a Criminal History Category I and has no criminal history points. Deleted those cases where the defendant was not a Criminal History Category I or was a Criminal History Category I but had a criminal history point or this information was missing.

- **50,258 cases Deleted**
- **72,034 cases Remain**

**STEP 5:** Ms. Huffman entered into a plea agreement. Deleted those cases where the defendant was convicted after trial or this information was missing.

- **3,648 cases Deleted**
- **68,386 cases Remain**

**STEP 6:** Ms. Huffman's statute of conviction does not require a mandatory minimum sentence. Deleted those cases where the defendant's statute(s) of conviction required a mandatory minimum sentence or this information was missing.

- **2,537 cases Deleted**
- **65,849 cases Remain**

**STEP 7:** Examined each case to determine if it contained missing or incomplete sentencing information. Deleted those cases that contained missing or incomplete sentencing information.

- **55 cases Deleted**
- **65,794 cases Remain**

**STEP 8:** Examined each case to determine if it contained missing or incomplete loss information. Deleted those cases that contained missing or incomplete loss information.

- **26 cases Deleted**
- **65,768 cases Remain**



*Huffman Analysis*  
*September 2, 2019*  
*Page 4*

**STEP 9:** It is our understanding that Ms. Huffman will not receive a substantial assistance downward departure pursuant to USSG §5K1.1. Deleted those cases where the defendant received a downward departure pursuant to USSG §5K1.1.

- **9,704 cases Deleted**
- **56,064 cases Remain**

**STEP 10:** Under the terms of both Ms. Huffman's plea agreement and the guideline scoring contained in her Presentence Investigation Report, Ms. Huffman's guideline range is 0-6 months of imprisonment. Deleted those cases where the defendant did not have a guideline range of 0-6 months of imprisonment.

- **37,548 cases Deleted**
- **18,516 cases Remain**

**FINDINGS - NATIONAL**

<b>Table A - Type of Sentence Imposed</b> <b>Guideline Range 0-6 Months of Imprisonment</b> <b>Guilty-Pleading, Criminal History Category I Defendants (zero points)</b> <b>Scored According to USSG §2B1.1</b> <b>(Excludes Defendants with a Statutory Mandatory Minimum Sentence)</b> <b>(Excludes USSG §5K1.1 Downward Departure Defendants)</b> <b>National - FY 2002-2018</b>		
<b>Sentence Imposed<sup>2</sup></b>	<b>No. of Defendants</b>	<b>Percentage</b>
Ordered to Pay Fine (only)	321	1.7%
Probation Ordered	13,858	74.8%
Probation Ordered + Alternative Sentence <sup>3</sup> Ordered	803	4.3%
Time Served	1,472	7.9%
Time Served + Alternative Sentence Ordered	35	0.2%
Prison Ordered	1,759 <sup>4</sup>	9.5%
Prison Ordered + Alternative Sentence Ordered	115	0.6%
Time Served (term unspecified)	153	0.8%
<b>Total</b>	<b>18,516</b>	<b>100.0%</b>

Note: Percentages may not equal 100% due to rounding.

- Of the 18,516 defendants sentenced nationally who had a guideline range of 0-6 months of imprisonment, the sentence imposed on 15,780 of these defendants (85.2%) either included no term of imprisonment or no more than 1 day of imprisonment.

<sup>2</sup> For purposes of Table A, community service is not included in "Sentence Imposed."

<sup>3</sup> Alternative Sentence includes home detention, community confinement, or intermittent confinement.

<sup>4</sup> Of these 1,759 cases, in 12 cases the defendant served a portion of his/her sentence prior to sentencing (time served) and was ordered to serve an additional term of imprisonment at sentencing.

- Of the 3,381 defendants sentenced to a term of imprisonment (either time served or a term of imprisonment to be served),<sup>5</sup> 798 defendants (23.6%) were sentenced to 1 day of imprisonment.
- Of the 18,516 defendants sentenced nationally who had a guideline range of 0-6 months of imprisonment, 2,970 defendants were ordered to perform community service as part of their sentence. For these 2,970 defendants, the number of hours of community service ordered ranged from 1 hour – Life. The following table, Table B, details the number of community service hours ordered on these 2,970 defendants.

<b>Table B - Hours of Community Service Ordered</b> <b>Guideline Range 0-6 Months of Imprisonment</b> <b>Guilty-Pleading, Criminal History Category I Defendants (zero points)</b> <b>Scored According to USSG §2B1.1</b> <b>(Excludes Defendants with a Statutory Mandatory Minimum Sentence)</b> <b>(Excludes USSG §5K1.1 Downward Departure Defendants)</b> <b>National - FY 2002-2018</b>		
<b>Community Service Hours Ordered</b>	<b>No. of Defendants</b>	<b>Percentage</b>
1 – 99 Hours	1,173	39.5%
100 – 200 Hours	1,482	49.9%
201 – 500 Hours	267	9.0%
501 – 999 Hours	22	0.7%
1,000 or More Hours	17	0.6%
Life	1	<0.1%
Ordered, but Hours Not Specified	8	0.3%
<b>Total</b>	<b>2,970</b>	<b>100.0%</b>

Note: Percentages may not equal 100% due to rounding.

<sup>5</sup> As shown in Table A, 1,472 defendants were sentenced to time served, 35 defendants were sentenced to time served and an alternative sentence, 1,759 defendants were sentenced to a term of imprisonment, and 115 defendants were sentenced to a term of imprisonment and an alternative sentence. The 153 defendants sentenced to Time Served (term unspecified) were excluded because the precise amount of time these defendants served is unknown.



**FINDINGS – DISTRICT OF MASSACHUSETTS**

- Of the 18,516 defendants sentenced nationally who had a guideline range of 0-6 months of imprisonment, 127 defendants were sentenced in the **District of Massachusetts**.<sup>6</sup> The following table, Table C, details the type of sentence imposed on the 127 defendants who had a guideline range of 0-6 months of imprisonment.

<b>Table C - Type of Sentence Imposed</b> <b>Guideline Range 0-6 Months of Imprisonment</b> <b>Guilty-Pleading, Criminal History Category I Defendants (zero points)</b> <b>Scored According to USSG §2B1.1</b> <b>(Excludes Defendants with a Statutory Mandatory Minimum Sentence)</b> <b>(Excludes USSG §5K1.1 Downward Departure Defendants)</b> <b>District of Massachusetts - FY 2002-2018</b>		
<b>Sentence Imposed<sup>7</sup></b>	<b>No. of Defendants</b>	<b>Percentage</b>
Ordered to Pay Fine (only)	1	0.8%
Probation Ordered	101	79.5%
Probation Ordered + Alternative Sentence Ordered	6	4.7%
Time Served	10	7.9%
Time Served + Alternative Sentence Ordered	1	0.8%
Prison Ordered	5	3.9%
Prison Ordered + Alternative Sentence Ordered	1	0.8%
Time Served (term unspecified)	2	1.6%
<b>Total</b>	<b>127</b>	<b>100.0%</b>

Note: Percentages may not equal 100% due to rounding.

- Of the 127 defendants sentenced in the District of Massachusetts who had a guideline range of 0-6 months of imprisonment, the sentence imposed on 111 of these defendants (87.4%) either included no term of imprisonment or no more than 1 day of imprisonment.

<sup>6</sup> A description of these 127 defendants can be found at the end of this memorandum (Table E).

<sup>7</sup> For purposes of Table C, community service is not included in "Sentence Imposed."

- Of the 17 defendants sentenced to a term of imprisonment (either time served or a term of imprisonment to be served),<sup>8</sup> 3 defendants (17.6%) were sentenced to 1 day of imprisonment.
- Of the 127 defendants sentenced in the District of Massachusetts who had a guideline range of 0-6 months of imprisonment, 9 defendants were ordered to perform community service as part of their sentence. For these 9 defendants, the number of hours of community service ordered ranged from 1 hour – 400 hours. The following table, Table D, details the number of community service hours ordered on these 9 defendants.

<b>Table D - Hours of Community Service Ordered</b> <b>Guideline Range 0-6 Months of Imprisonment</b> <b>Guilty-Pleading, Criminal History Category I Defendants (zero points)</b> <b>Scored According to USSG §2B1.1</b> <b>(Excludes Defendants with a Statutory Mandatory Minimum Sentence)</b> <b>(Excludes USSG §5K1.1 Downward Departure Defendants)</b> <b>District of Massachusetts - FY 2002-2018</b>		
<b>Community Service Hours Ordered</b>	<b>No. of Defendants</b>	<b>Percentage</b>
1 Hour	1	11.1%
6 Hours	1	11.1%
40 Hours	1	11.1%
100 Hours	2	22.2%
150 Hours	1	11.1%
250 Hours	1	11.1%
400 Hours	2	22.2%
<b>Total</b>	<b>9</b>	<b>100.0%</b>

Note: Percentages may not equal 100% due to rounding.

<sup>8</sup> As shown in Table C, 10 defendants were sentenced to time served, 1 defendant was sentenced to time served and an alternative sentence, 5 defendants were sentenced to a term of imprisonment, and 1 defendant was sentenced to a term of imprisonment and an alternative sentence. The 2 defendants sentenced to Time Served (term unspecified) were excluded because the precise amount of time these defendants served is unknown.

**Table E – Defendants Sentenced in the District of Massachusetts  
Guideline Range 0-6 Months of Imprisonment**

**Guilty Pleading, Criminal History Category I Defendants (zero points)  
Scored According to USSG §2B1.1  
(Excludes Defendants with a Statutory Minimum Prison Term)  
(Excludes USSG §5K1.1 Downward Departure Defendants)**

**FY 2002-2018**

Case No.	USSC ID No.	Sentencing Date	Probation Office	Defendant Characteristics	Level Increase for Loss	Loss Amount	Statute(s) of Conviction	Total Offense Level	Sentence Imposed	Reason(s) for Departure/ Variance
1	2228628	12-2014	Boston	29-yr. Female (Illegal Alien – Dominican Republic)	0	\$0	42 USC §408(a)(7)(B); 18 USC §2	4	1 day Imprisonment (Time Served)	
2	821021	4-2004	Boston	36-yr. Male (Illegal Alien - Mexico)	0	\$0	18 USC §1001	4	5 days Imprisonment (Time Served)	
3	2108556	6-2013	Boston	35-yr. Male (Illegal Alien - Dominican Republic)	0	\$5,000*	18 USC §1001(a)	4	1 mo. 29 days Imprisonment (Time Served)	
4	1476776	12-2011	Boston	41-yr. Male (U.S. Citizen)	0	\$0	18 USC §1001	4	4 mo. Imprisonment	
5	1399900	2-2011	Boston	35-yr. Male (Resident/Legal Alien - Colombia)	0	\$3,239	18 USC §669	4	5 mo. 26 days Imprisonment (Time Served)	
6	1349281	7-2010	Boston	31-yr. Male (Illegal Alien - China)	0	\$0	18 USC §1001(a)(2)	4	10 mo. 29 days Imprisonment (Time Served)	Pursuant to a Non-Binding (or unknown type) Plea



**Table E – Defendants Sentenced in the District of Massachusetts  
Guideline Range 0-6 Months of Imprisonment**

**Guilty Pleading, Criminal History Category I Defendants (zero points)  
Scored According to USSG §2B1.1**

**(Excludes Defendants with a Statutory Minimum Prison Term)  
(Excludes USSG §5K1.1 Downward Departure Defendants)**

**FY 2002-2018**

Case No.	USSC ID No.	Sentencing Date	Probation Office	Defendant Characteristics	Level Increase for Loss	Loss Amount	Statute(s) of Conviction	Total Offense Level	Sentence Imposed	Reason(s) for Departure/Variance
7	681437	4-29-2003	Boston	43-yr. Male (Resident/Legal Alien - Haiti)	0	\$0	18 USC §1001	4	6 mo. Probation	
8	2466576	5-2018	Boston	70-yr. Female (U.S. Citizen)	0	\$3,250*	18 USC §1001(a)(2)	4	12 mo. Probation; 1 hour Community Service	
9	2337181	6-2016	Boston	40-yr. Female (Illegal Alien - Dominican Republic)	0	\$0	42 USC §408(a)(8)	4	12 mo. Probation; 40 hours Community Service	
10	2303610	1-2016	Boston	46-yr. Male (U.S. Citizen)	0	\$3,250*	18 USC §1001	4	12 mo. Probation	
11	2294049	11-2015	Boston	50-yr. Male (U.S. Citizen)	0	\$5,000*	18 USC §1001	4	12 mo. Probation	
12	1412866	4-2011	Boston	60-yr. Male (U.S. Citizen)	0	\$0	18 USC §1001	4	12 mo. Probation	
13	761091	11-2003	Boston	61-yr. Male (U.S. Citizen)	0	\$0	18 USC §1001	4	12 mo. Probation	

**Table E – Defendants Sentenced in the District of Massachusetts  
Guideline Range 0-6 Months of Imprisonment**

**Guilty Pleading, Criminal History Category I Defendants (zero points)  
Scored According to USSG §2B1.1  
(Excludes Defendants with a Statutory Minimum Prison Term)  
(Excludes USSG §5K1.1 Downward Departure Defendants)**

**FY 2002-2018**

Case No.	USSC ID No.	Sentencing Date	Probation Office	Defendant Characteristics	Level Increase for Loss	Loss Amount	Statute(s) of Conviction	Total Offense Level	Sentence Imposed	Reason(s) for Departure/ Variance
14	2287118	10-2015	Boston	50-yr. Female (U.S. Citizen)	0	\$5,000*	18 USC §1001	4	12 mo. Probation	
15	2107555	6-2013	Boston	47-yr. Female (Illegal Alien - Morocco)	0	\$5,000*	18 USC §1001	4	12 mo. Probation	
16	1225351	3-2009	Boston	58-yr. Male (U.S. Citizen)	0	\$3,000	18 USC §1711	4	12 mo. Probation	
17	2256928	4-2015	Boston	36-yr. Male (U.S. Citizen)	0	\$5,000*	18 USC §1001(a)(2)	4	12 mo. Probation	
18	1013254	7-2006	Boston	21-yr. Male (U.S. Citizen)	0	\$0	18 USC §1028(a)(1)	4	12 mo. Probation	
19	760146	1-2004	Boston	25-yr. Male (Resident/Legal Alien - Morocco)	0	\$0	42 USC §408(a)(7)(B)	4	12 mo. Probation	
20	1156729	5-2008	Missing	63-yr. Male (U.S. Citizen)	0	\$0	18 USC §498	4	24 mo. Probation; 100 hours Community Service	



**Table E – Defendants Sentenced in the District of Massachusetts  
Guideline Range 0-6 Months of Imprisonment**

**Guilty Pleading, Criminal History Category I Defendants (zero points)  
Scored According to USSG §2B1.1  
(Excludes Defendants with a Statutory Minimum Prison Term)  
(Excludes USSG §5K1.1 Downward Departure Defendants)**

**FY 2002-2018**

Case No.	USSC ID No.	Sentencing Date	Probation Office	Defendant Characteristics	Level Increase for Loss	Loss Amount	Statute(s) of Conviction	Total Offense Level	Sentence Imposed	Reason(s) for Departure/ Variance
21	1401852	2-2011	Boston	50-yr. Male (U.S. Citizen)	0	\$5,000*	18 USC §641	4	24 mo. Probation	
22	2074593	1-2013	Boston	50-yr. Male (Resident/Legal Alien - Dominican Republic)	0	\$5,000*	18 USC §1001	4	24 mo. Probation	
23	2115757	7-2013	Boston	51-yr. Male (Resident/Legal Alien - Morocco)	0	\$5,000*	18 USC §1001	4	24 mo. Probation	
24	770255	8-2004	Boston	45-yr. Male (U.S. Citizen)	0	\$0	18 USC §1341	4	24 mo. Probation	
25	2316817	3-2016	Boston	55-yr. Male (U.S. Citizen)	0	\$6,131	18 USC §1708	4	24 mo. Probation	
26	892006	10-2005	Boston	48-yr. Male (U.S. Citizen)	0	\$0	18 USC §1709	4	24 mo. Probation	
27	784257	9-2004	Worcester	38-yr. Female (U.S. Citizen)	0	\$0	18 USC §1709	4	24 mo. Probation	

**Table E – Defendants Sentenced in the District of Massachusetts  
Guideline Range 0-6 Months of Imprisonment**

**Guilty Pleading, Criminal History Category I Defendants (zero points)  
Scored According to USSG §2B1.1  
(Excludes Defendants with a Statutory Minimum Prison Term)  
(Excludes USSG §5K1.1 Downward Departure Defendants)**

**FY 2002-2018**

Case No.	USSC ID No.	Sentencing Date	Probation Office	Defendant Characteristics	Level Increase for Loss	Loss Amount	Statute(s) of Conviction	Total Offense Level	Sentence Imposed	Reason(s) for Departure/ Variance
28	1124805	11-2007	Boston	43-yr. Female (U.S. Citizen)	0	\$1,323	18 USC §1711	4	24 mo. Probation	
29	1363341	9-2010	Boston	44-yr. Male (U.S. Citizen)	0	\$0	18 USC §1001(a)(2)	4	24 mo. Probation	
30	673884	2-5-2003	Boston	38-yr. Male (U.S. Citizen)	0	\$0	18 USC §1030(a)(2)(B); 26 USC §7213(a)	4	24 mo. Probation	
31	1133338	1-2008	Boston	41-yr. Male (U.S. Citizen)	0	\$0	18 USC §1001(a)(2)	4	24 mo. Probation; 2 mo. Community Confinement; 6 hours Community Service	
32	1474717	11-2011	Boston	38-yr. Male (Illegal Alien - Brazil)	0	\$0	18 USC §1001	4	24 mo. Probation; 4 mo. Home Detention	
33	742976	10-2003	Boston	57-yr. Male (U.S. Citizen)	0	\$0	18 USC §1920	4	36 mo. Probation	
34	1322478	4-2010	Boston	37-yr. Male (Resident/Legal Alien - Portugal)	0	\$0	18 USC §1001(a)	4	36 mo. Probation	

**Table E – Defendants Sentenced in the District of Massachusetts  
Guideline Range 0-6 Months of Imprisonment**

**Guilty Pleading, Criminal History Category I Defendants (zero points)  
Scored According to USSG §2B1.1**

**(Excludes Defendants with a Statutory Minimum Prison Term)  
(Excludes USSG §5K1.1 Downward Departure Defendants)**

**FY 2002-2018**

Case No.	USSC ID No.	Sentencing Date	Probation Office	Defendant Characteristics	Level Increase for Loss	Loss Amount	Statute(s) of Conviction	Total Offense Level	Sentence Imposed	Reason(s) for Departure/ Variance
35	2361046	11-2016	Boston	38-yr. Male (U.S. Citizen)	0	\$3,250*	18 USC §1029(a)	4	36 mo. Probation	Deterrence
36	632840	7-1-2002	Boston	26-yr. Male (Resident/Legal Alien - Dominican Republic)	0	\$0	18 USC §1029(a)(7)	4	36 mo. Probation	
37	642609	8-27-2002	Boston	48-yr. Male (Resident/Legal Alien - Dominican Republic)	0	\$0	18 USC §513(a)	4	36 mo. Probation	
38	1044178	12-2006	Springfield	27-yr. Male (Illegal Alien - Guatemala)	0	\$0	18 USC §1341	5	5 mo. 19 days Imprisonment (Time Served)	
39	1075828	3-2007	Missing	55-yr. Male (U.S. Citizen)	0	\$0	18 USC §1343	5	12 mo. Probation	
40	2397308	5-2017	Boston	29-yr. Male (U.S. Citizen)	0	\$5,351	18 USC §1349; 18 USC §1343	5	12 mo. Probation	
41	1070341	4-2007	Boston	38-yr. Male (U.S. Citizen)	0	\$3,240	18 USC §1341; 18 USC §371	5	24 mo. Probation; 400 hours Community Service	



**Table E – Defendants Sentenced in the District of Massachusetts  
Guideline Range 0-6 Months of Imprisonment**

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(Excludes Defendants with a Statutory Minimum Prison Term)  
(Excludes USSG §5K1.1 Downward Departure Defendants)**

FY 2002-2018

Case No.	USSC ID No.	Sentencing Date	Probation Office	Defendant Characteristics	Level Increase for Loss	Loss Amount	Statute(s) of Conviction	Total Offense Level	Sentence Imposed	Reason(s) for Departure/ Variance
42	2228205	12-2014	Boston	29-yr. Male (Resident/Legal Alien - Pakistan)	0	\$5,000*	18 USC §1343	5	60 mo. Probation	
43	1478125	12-2011	Boston	43-yr. Male (U.S. Citizen)	0	\$5,000*	18 USC §1331	6	6 mo. Imprisonment; 6 mo. Home Detention	Offense Level Understates Offense Seriousness; Ongoing Nature of Activity
44	2140090	11-2013	Boston	58-yr. Male (U.S. Citizen)	0	\$5,000*	21 USC §843(a)(3); 18 USC §1028(a)(7)	6	3 mo. Imprisonment	
45	711020	1-16-2003	Boston	24-yr. Male (Resident/Legal Alien - Morocco)	0	\$0	18 USC §1001(a)(3)	6	6 mo. 12 days Imprisonment (Time Served)	
46	881874	9-2005	Boston	47-yr. Female (U.S. Citizen)	0	\$0	18 USC §1001	6	12 mo. Probation	
47	811913	1-2005	Boston	32-yr. Male (U.S. Citizen)	0	\$0	18 USC §1709	6	12 mo. Probation	

**Table E – Defendants Sentenced in the District of Massachusetts  
Guideline Range 0-6 Months of Imprisonment**

**Guilty Pleading, Criminal History Category I Defendants (zero points)  
Scored According to USSG §2B1.1**

**(Excludes Defendants with a Statutory Minimum Prison Term)  
(Excludes USSG §5K1.1 Downward Departure Defendants)**

**FY 2002-2018**

Case No.	USSC ID No.	Sentencing Date	Probation Office	Defendant Characteristics	Level Increase for Loss	Loss Amount	Statute(s) of Conviction	Total Offense Level	Sentence Imposed	Reason(s) for Departure/ Variance
48	1405551	3-2011	Boston	50-yr. Male (U.S. Citizen)	0	\$514	18 USC §1709	6	12 mo. Probation	
49	757869	2-2004	Boston	Unknown Age Male (U.S. Citizen)	0	\$0	18 USC §1709	6	12 mo. Probation	
50	823833	5-2004	Boston	36-yr. Female (U.S. Citizen)	0	\$0	18 USC §1709	6	12 mo. Probation	
51	742966	10-2003	Boston	50-yr. Female (U.S. Citizen)	0	\$0	18 USC §1709	6	12 mo. Probation	
52	829113	2-2005	Boston	56-yr. Female (U.S. Citizen)	0	\$0	18 USC §1709	6	12 mo. Probation	
53	1401844	2-2011	Boston	50-yr. Male (U.S. Citizen)	0	\$5,000*	18 USC §641	6	24 mo. Probation	
54	1022282	8-2006	Boston	54-yr. Female (U.S. Citizen)	0	\$0	18 USC §641	6	24 mo. Probation	

**Table E – Defendants Sentenced in the District of Massachusetts  
Guideline Range 0-6 Months of Imprisonment**

**Guilty Pleading, Criminal History Category I Defendants (zero points)  
Scored According to USSG §2B1.1  
(Excludes Defendants with a Statutory Minimum Prison Term)  
(Excludes USSG §5K1.1 Downward Departure Defendants)**

**FY 2002-2018**

Case No.	USSC ID No.	Sentencing Date	Probation Office	Defendant Characteristics	Level Increase for Loss	Loss Amount	Statute(s) of Conviction	Total Offense Level	Sentence Imposed	Reason(s) for Departure/ Variance
55	1260080	7-2009	Boston	53-yr. Male (U.S. Citizen)	0	\$5,000*	18 USC §1001; 18 USC §2	6	24 mo. Probation	
56	1287775	11-2009	Boston	49-yr. Male (Resident/Legal Alien - El Salvador)	0	\$0	18 USC §1702	6	24 mo. Probation	
57	1150376	4-2008	Missing	23-yr. Male (U.S. Citizen)	0	\$2,600	18 USC §1709	6	24 mo. Probation	
58	784262	9-2004	Boston	32-yr. Male (U.S. Citizen)	0	\$2,215	18 USC §1709	6	24 mo. Probation	
59	877326	9-2005	Boston	37-yr. Male (U.S. Citizen)	0	\$0	18 USC §1709	6	24 mo. Probation	
60	849209	5-2005	Boston	40-yr. Male (U.S. Citizen)	0	\$0	18 USC §1709	6	24 mo. Probation	
61	783028	9-2004	Boston	44-yr. Male (U.S. Citizen)	0	\$0	18 USC §1709	6	24 mo. Probation	



**Table E – Defendants Sentenced in the District of Massachusetts  
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**FY 2002-2018**

Case No.	USSC ID No.	Sentencing Date	Probation Office	Defendant Characteristics	Level Increase for Loss	Loss Amount	Statute(s) of Conviction	Total Offense Level	Sentence Imposed	Reason(s) for Departure/ Variance
62	1187933	10-2008	Boston	63-yr. Male (U.S. Citizen)	0	\$0	18 USC §1709	6	24 mo. Probation	
63	911659	2-2006	Boston	53-yr. Male (U.S. Citizen)	0	\$0	18 USC §2071(a); 18 USC §2071(b)	6	24 mo. Probation	
64	2230453	1-2015	Boston	42-yr. Female (U.S. Citizen)	0	\$0	18 USC §1341	7	12 mo. Probation	
65	2312144	2-2016	Boston	47-yr. Male (U.S. Citizen)	0	\$4,000	18 USC §1709	8	3 days Imprisonment (Time Served); 6 mo. Community Confinement	
66	878825	9-2005	Boston	48-yr. Male (U.S. Citizen)	0	\$500	18 USC §1028(a)(7); 18 USC §1029(a)(5); 18 USC §1344(2); 18 USC §1546(a)	8	1 day Imprisonment (Time Served)	
67	2159119	1-2014	Boston	28-yr. Male (U.S. Citizen)	0	\$1,900	18 USC §1709	8	12 mo. Probation	
68	2039821	8-2012	Boston	21-yr. Male (U.S. Citizen)	0	\$0	18 USC §1030(a)(2)	8	12 mo. Probation	

**Table E – Defendants Sentenced in the District of Massachusetts  
Guideline Range 0-6 Months of Imprisonment**

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FY 2002-2018

Case No.	USSC ID No.	Sentencing Date	Probation Office	Defendant Characteristics	Level Increase for Loss	Loss Amount	Statute(s) of Conviction	Total Offense Level	Sentence Imposed	Reason(s) for Departure/ Variance
69	710933	2-13-2003	Boston	34-yr. Male (U.S. Citizen)	0	\$4,500	18 USC §1709	8	12 mo. Probation; 3 mo. Community Confinement	
70	2094533	4-2013	Boston	58-yr. Male (U.S. Citizen)	0	\$5,000*	18 USC §1001(a)(2)	8	24 mo. Probation	
71	2390038	4-2017	Boston	33-yr. Male (U.S. Citizen)	0	\$3,250*	18 USC §1030(a)(5)(A)	8	24 mo. Probation	
72	758319	1-2004	Boston	30-yr. Male (U.S. Citizen)	0	\$0	18 USC §1708	8	36 mo. Probation; 150 hours Community Service	
73	1327494	4-2010	Boston	55-yr. Male (U.S. Citizen)	0	\$5,000*	18 USC §1709	8	36 mo. Probation	
74	893534	10-2005	Boston	30-yr. Male (Illegal Alien - Dominican Republic)	2	\$6,704	18 USC §1341; 18 USC §1343	6	6 mo. Imprisonment (Time Served)	
75	632333	7-8-2002	Boston	65-yr. Male (U.S. Citizen)	2	\$6,850	18 USC §1341; 18 USC §2	6	12 mo. Probation	



**Table E – Defendants Sentenced in the District of Massachusetts  
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FY 2002-2018

Case No.	USSC ID No.	Sentencing Date	Probation Office	Defendant Characteristics	Level Increase for Loss	Loss Amount	Statute(s) of Conviction	Total Offense Level	Sentence Imposed	Reason(s) for Departure/ Variance
76	588964	11-8-2001	Boston	52-yr. Male (U.S. Citizen)	2	\$5,660	18 USC §641	6	24 mo. Probation	
77	2087434	3-2013	Boston	38-yr. Female (U.S. Citizen)	2	\$6,000	18 USC §641	6	24 mo. Probation	
78	605612	2-19-2002	Springfield	40-yr. Female (U.S. Citizen)	2	\$6,048	18 USC §641	6	36 mo. Probation	
79	1392104	1-2011	Boston	54-yr. Female (U.S. Citizen)	2	\$5,057	18 USC §1001	6	36 mo. Probation	
80	708293	3-20-2003	Springfield	34-yr. Male (U.S. Citizen)	2	\$5,458	18 USC §1341; 18 USC §1343	6	36 mo. Probation	
81	1012756	7-2006	Boston	54-yr. Male (U.S. Citizen)	2	\$7,500*	18 USC §3559(a)	6	36 mo. Probation	
82	1442165	8-2011	Boston	31-yr. Male (U.S. Citizen)	2	\$6,750	18 USC §669; 18 USC §2	6	60 mo. Probation; 6 mo. Home Detention	

**Table E – Defendants Sentenced in the District of Massachusetts  
Guideline Range 0-6 Months of Imprisonment**

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FY 2002-2018

Case No.	USSC ID No.	Sentencing Date	Probation Office	Defendant Characteristics	Level Increase for Loss	Loss Amount	Statute(s) of Conviction	Total Offense Level	Sentence Imposed	Reason(s) for Departure/ Variance
83	1249117	6-2009	Boston	42-yr. Male (Resident/Legal Alien - Malaysia)	2	\$7,424	18 USC §1341; 18 USC §1346	7	Fine Only (\$500)	
84	831570	4-2005	Springfield	32-yr. Male (U.S. Citizen)	2	\$9,803	18 USC §666(a)(1)(A)	8	4 mo. Imprisonment; 100 hours Community Service	
85	2374337	1-2017	Boston	44-yr. Male (U.S. Citizen)	2	\$12,393	18 USC §371	8	12 mo. Probation	
86	642753	9-16-2002	Springfield	46-yr. Female (U.S. Citizen)	2	\$5,635	18 USC §1711	8	12 mo. Probation	
87	2363011	11-2016	Boston	48-yr. Male (U.S. Citizen)	2	\$7,183	14 USC §88(c); 18 USC §1028(a)(7)	8	12 mo. Probation	
88	2242559	3-2015	Boston	55-yr. Male (U.S. Citizen)	2	\$7,500*	18 USC §1001(a)(2); 18 USC §1001(a)(3)	8	24 mo. Probation	
89	829794	6-2004	Boston	33-yr. Male (Resident/Legal Alien - China)	2	\$8,000	18 USC §1030(c)(2)(A); 18 USC §1030(a)(5)(A)(iii)	8	24 mo. Probation; 6 mo. Home Detention	



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FY 2002-2018

Case No.	USSC ID No.	Sentencing Date	Probation Office	Defendant Characteristics	Level Increase for Loss	Loss Amount	Statute(s) of Conviction	Total Offense Level	Sentence Imposed	Reason(s) for Departure/ Variance
90	600511	12-7-2001	Worcester	30-yr. Female (U.S. Citizen)	2	\$9,384	18 USC §666(a)(1)(A)	8	36 mo. Probation; 400 hours Community Service	
91	1106136	9-2007	Springfield	44-yr. Female (U.S. Citizen)	2	\$5,362	18 USC §666(a)(1)(A); 18 USC §1001	8	36 mo. Probation	
92	598538	12-19-2001	Boston	58-yr. Female (U.S. Citizen)	2	\$5,430	18 USC §1347	8	48 mo. Probation; 250 hours Community Service	
93	604536	3-4-2002	Boston	27-yr. Female (U.S. Citizen)	4	\$22,051	18 USC §513(a)	8	1 day Imprisonment	
94	632839	7-8-2002	Boston	22-yr. Male (Resident/Legal Alien - Trinidad & Tobago)	4	\$21,326	18 USC §1344; 18 USC §2	8	1 mo. Imprisonment	
95	1220175	2-2009	Boston	48-yr. Male (Resident/Legal Alien - Dominican Republic)	4	\$16,168	18 USC §286; 18 USC §371; 18 USC §287; 18 USC §2	8	10 mo. 22 days Imprisonment (Time Served)	Time Served
96	1054737	2-2007	Boston	61-yr. Male (Illegal Alien - Cuba)	4	\$20,200	18 USC §371	8	Time Served (term unspecified)	

**Table E – Defendants Sentenced in the District of Massachusetts  
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**(Excludes Defendants with a Statutory Minimum Prison Term)  
(Excludes USSG §5K1.1 Downward Departure Defendants)**

**FY 2002-2018**

Case No.	USSC ID No.	Sentencing Date	Probation Office	Defendant Characteristics	Level Increase for Loss	Loss Amount	Statute(s) of Conviction	Total Offense Level	Sentence Imposed	Reason(s) for Departure/ Variance
97	1051368	1-2007	Boston	22-yr. Female (U.S. Citizen)	4	\$20,000*	18 USC §1708; 18 USC §2; 18 USC §500	8	Time Served (term unspecified)	
98	2160694	2-2014	Boston	56-yr. Male (U.S. Citizen)	4	\$12,760	18 USC §1001	8	12 mo. Probation	
99	760594	12-2003	Boston	41-yr. Male (U.S. Citizen)	4	\$22,051	18 USC §1711	8	12 mo. Probation	
100	2090452	3-2013	Boston	46-yr. Male (U.S. Citizen)	4	\$18,460	18 USC §1001(a)(2)	8	12 mo. Probation	
101	742967	10-2003	Boston	35-yr. Male (U.S. Citizen)	4	\$10,360	18 USC §1030(a)(5)(A)	8	12 mo. Probation	
102	629549	6-11-2002	Boston	60-yr. Male (U.S. Citizen)	4	\$10,946	18 USC §2113(b)	8	12 mo. Probation	
103	710934	11-28-2001	Boston	19-yr. Female (U.S. Citizen)	4	\$19,003	18 USC §2113(b)	8	12 mo. Probation	

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FY 2002-2018

Case No.	USSC ID No.	Sentencing Date	Probation Office	Defendant Characteristics	Level Increase for Loss	Loss Amount	Statute(s) of Conviction	Total Offense Level	Sentence Imposed	Reason(s) for Departure/ Variance
104	761096	12-2003	Boston	47-yr. Female (U.S. Citizen)	4	\$17,368	18 USC §641	8	18 mo. Probation	
105	711008	2-13-2003	Boston	36-yr. Male (U.S. Citizen)	4	\$11,900	18 USC §2; 18 USC §659	8	24 mo. Probation	
106	2011452	4-2012	Boston	30-yr. Male (U.S. Citizen)	4	\$12,086	18 USC §371	8	24 mo. Probation	
107	1191455	10-2008	Boston	31-yr. Male (U.S. Citizen)	4	\$23,261	18 USC §371	8	24 mo. Probation	
108	1455133	9-2011	Boston	39-yr. Male (U.S. Citizen)	4	\$11,380	18 USC §371	8	24 mo. Probation	
109	1307808	2-2010	Boston	40-yr. Male (U.S. Citizen)	4	\$13,835	18 USC §371	8	24 mo. Probation	
110	882321	9-2005	Boston	46-yr. Male (U.S. Citizen)	4	\$20,000	18 USC §371	8	24 mo. Probation	



**Table E – Defendants Sentenced in the District of Massachusetts  
Guideline Range 0-6 Months of Imprisonment**

**Guilty Pleading, Criminal History Category I Defendants (zero points)  
Scored According to USSG §2B1.1  
(Excludes Defendants with a Statutory Minimum Prison Term)  
(Excludes USSG §5K1.1 Downward Departure Defendants)**

FY 2002-2018

Case No.	USSC ID No.	Sentencing Date	Probation Office	Defendant Characteristics	Level Increase for Loss	Loss Amount	Statute(s) of Conviction	Total Offense Level	Sentence Imposed	Reason(s) for Departure/ Variance
111	1456343	9-2011	Boston	67-yr. Male (U.S. Citizen)	4	\$29,060	18 USC §371	8	24 mo. Probation	
112	2073238	1-2013	Boston	59-yr. Female (U.S. Citizen)	4	\$23,383	18 USC §371	8	24 mo. Probation	
113	1422561	5-2011	Boston	39-yr. Female (U.S. Citizen)	4	\$24,392	18 USC §641	8	24 mo. Probation	
114	890842	10-2005	Boston	53-yr. Female (U.S. Citizen)	4	\$22,164	18 USC §641; 18 USC §3559(a)	8	24 mo. Probation	
115	616921	1-23-2002	Boston	62-yr. Female (U.S. Citizen)	4	\$29,540	18 USC §641	8	24 mo. Probation	
116	1311902	2-2010	Boston	55-yr. Female (U.S. Citizen)	4	\$13,707	18 USC §1001	8	24 mo. Probation	
117	1163732	6-2008	Springfield	47-yr. Male (U.S. Citizen)	4	\$12,500	18 USC §1341; 18 USC §371	8	24 mo. Probation	

**Table E – Defendants Sentenced in the District of Massachusetts  
Guideline Range 0-6 Months of Imprisonment**

**Guilty Pleading, Criminal History Category I Defendants (zero points)  
Scored According to USSG §2B1.1  
(Excludes Defendants with a Statutory Minimum Prison Term)  
(Excludes USSG §5K1.1 Downward Departure Defendants)**

FY 2002-2018

Case No.	USSC ID No.	Sentencing Date	Probation Office	Defendant Characteristics	Level Increase for Loss	Loss Amount	Statute(s) of Conviction	Total Offense Level	Sentence Imposed	Reason(s) for Departure/ Variance
118	821022	4-2004	Boston	30-yr. Female (U.S. Citizen)	4	\$12,314	18 USC §1029(a)(5); 18 USC §982	8	24 mo. Probation	
119	616765	1-14-2002	Boston	44-yr. Male (U.S. Citizen)	4	\$25,428	7 USC §2024(b)	8	24 mo. Probation	
120	1015721	8-2006	Missing	43-yr. Male (U.S. Citizen)	4	\$20,000	18 USC §1343; 18 USC §1001	8	24 mo. Probation; 2 mo. Home Detention	
121	770582	6-2004	Boston	57-yr. Female (U.S. Citizen)	4	\$25,206	18 USC §641; 18 USC §1343	8	36 mo. Probation	
122	1321021	3-2010	Boston	63-yr. Male (U.S. Citizen)	4	\$15,049	18 USC §1001	8	36 mo. Probation	
123	598539	12-18-2001	Boston	29-yr. Male (Alien Status Unknown - El Salvador)	4	\$16,300	18 USC §1708	8	36 mo. Probation	
124	620069	5-30-2002	Boston	23-yr. Female (U.S. Citizen)	4	\$26,600	18 USC §2113(b)	8	36 mo. Probation	

**Table E – Defendants Sentenced in the District of Massachusetts  
Guideline Range 0-6 Months of Imprisonment**

**Guilty Pleading, Criminal History Category I Defendants (zero points)  
Scored According to USSG §2B1.1  
(Excludes Defendants with a Statutory Minimum Prison Term)  
(Excludes USSG §5K1.1 Downward Departure Defendants)**

**FY 2002-2018**

Case No.	USSC ID No.	Sentencing Date	Probation Office	Defendant Characteristics	Level Increase for Loss	Loss Amount	Statute(s) of Conviction	Total Offense Level	Sentence Imposed	Reason(s) for Departure/ Variance
125	892766	11-2005	Boston	54-yr. Male (U.S. Citizen)	4	\$23,911	18 USC §1711	8	60 mo. Probation	
126	869309	12-2005	Springfield	50-yr. Female (U.S. Citizen)	4	\$22,639	18 USC §1028(a)(7)	8	60 mo. Probation	
127	648093	9-23-2002	Boston	41-yr. Female (U.S. Citizen)	6	\$41,547	18 USC §371	8	36 mo. Probation	

\*For those defendants with an "\*" next to loss, a precise loss amount was not determined by the Court. Therefore, for these cases the loss amount represents the midpoint within the appropriate loss category. This corresponds to the increase in levels the defendant received under USSG §2B1.1(b)(1) for loss amount.

Cases Highlighted in Gray: Defendant was ordered to perform community service as part of the sentence.

Sentencing Date Note: Beginning in FY 2004 the United States Sentencing Commission excluded the precise day a defendant was sentenced because it determined that this was identifying information. Therefore, in the FY 2004 and later datafiles only the sentencing month and year is provided.



# Exhibit D

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

UNITED STATES OF AMERICA,	)	Criminal No. 19-10117
	)	
	)	
v.	)	
	)	
FELICITY HUFFMAN,	)	
<i>Defendant</i>	)	

**LETTERS IN AID OF SENTENCING**

Defendant Felicity Huffman respectfully submits the following letters to assist the Court at the sentencing scheduled for September 13, 2019:

TAB	NAME
1	William Macy
2	Val Underwood
3	Betsey Huffman
4	Laura Bauer
5	Kate Blumberg and Todd Weeks
6	Ellen Etten
7	Lucas Ross
8	Marc Cherry
9	Eva Longoria Baston
10	Isabel Belden
11	Grace Huffman
12	Jessie Huffman
13	Joseph Huffman
14	Mitzi Lizarraga
15	Stella Jeong
16	Daniel and Benjamin Barnz
17	Amelia Hamilton
18	Wendy Mogel

TAB	NAME
19	Deborah Kory
20	Mary McCann and Neil Pepe
21	Buck Jones
22	Jessie Huffman
23	Moore Huffman
24	Moore Huffman
25	Barry Muniz
26	Thomas Alderson
27	Douglas E. Phelps

Respectfully submitted,

FELICITY HUFFMAN

By her attorneys,

/s/ Martin F. Murphy

Martin F. Murphy BBO # 363250

Julia Amhrein BBO # 684912

Foley Hoag LLP

155 Seaport Boulevard

Boston, Massachusetts 02210-2600

Telephone: 617-832-1000

Facsimile: 617-832-7000

mmurphy@foleyhoag.com

DATED: September 6, 2019

**TAB 1**

Wm H. Macy  
Los Angeles California

September 4, 2019

Hon. Indira Talwani  
United States District Court  
One Courthouse Way  
Boston, MA 02210

Dear Judge Talwani

Thank you for giving me the time to tell you about my wife Felicity Huffman.

Felicity grew up in a house filled with women (six sisters and a brother) in Woody Creek Colorado. Her mother was strong, loving, fierce, eccentric and sometimes violent, and I think Felicity was largely raised by either her sisters or, being the youngest, left to her own devices. As an example, she moved to Los Angeles for a year when she was 15 years old to pursue acting. She lived with a 22-year-old friend of the family and put herself in high school and found her way to auditions and classes all on her own. I think the result of her unstructured upbringing was a determination that her children would always have a mother there backing them up. As crazy as her life was in Woody Creek, Felicity's family is very close. She talks to at least one of her siblings almost daily and one of the joys of my life was being accepted into the Huffman clan. Felicity's family is her world.

From the day we learned that Sophia Grace Macy was on her way, Felicity threw herself into parenting. She read mountains of books and sought out the best and the brightest on the subject. She read a book called "The Gift of a Skinned Knee" and was so impressed by the author, Wendy Mogul, she made it her quest to meet Ms. Mogul and talk to her about raising children, and we've continued to meet with Wendy all these years. She sought out parents whose children impressed her and picked their brains on child rearing.

Felicity worried about raising our girls in Hollywood with working actors for parents, so we decided to keep them as far away from our business as possible. We rarely took them to any sort of Hollywood event and tried to avoid them

being photographed by the press. We didn't even let them watch television until they could read. We read books out loud almost every night. One day I walked into the kitchen and Felicity was teaching the girls how to meet people. She had them shake her hand with a firm grip, look her in the eye and say their names clearly. And they practiced it over and over until it was habitual. I've rejoiced at the surprised look in adult's eyes as my six-year-old Georgia introduced herself and shook their hands.

Watching Felicity being a mother is a wonderful thing to see. When the girls got computers and phones, we had a family meeting about the rules for their use, and both girls had to sign a contract which Felicity found on-line. There were rules for makeup, dating and now driving. At the same time, while there have always been rules in our house, Felicity is great at thinking like a kid. For one of Sophia's birthdays she baked about twenty-five small cakes. The first hour the kids decorated the cakes, and after that we had an epic cake fight that left our yard sticky for weeks. She's always been big on birthdays and holidays, and she makes them special with imagination rather than money. Felicity has always worked to make sure that our daughters "don't get squished". I think growing up she saw her sisters and her brother get their spirits pounded down, and she's always been determined that nothing will stop our daughters from becoming women in full.

My wife has an amazing ability to "see" our kids. She sees them not as we wish they were, or what we hope they might become, but who they actually are. She was the first to notice Sophia's difficulty with transitions and sensory overload and we discovered she needed Occupational Therapy. In all honesty, I had my doubts that a four-year-old would need something called Occupational Therapy, but I was wrong and in six months we saw a remarkable change in her. She was the first to notice Sophia's difficulty in school and was inexhaustible in getting an accurate diagnosis and treatment.

But motherhood has, from the very beginning, frightened Felicity and she has not carried being a mom easily. She's struggled to find the balance between what the experts say, and her common sense.

It's been about six months since the FBI came in the early hours to arrest Felicity. Our oldest daughter Sophia has certainly paid the dearest price. She had been

accepted to a few schools, but her heart was set on one in particular which, ironically, doesn't require SAT scores. She started as one of several thousand applicants and after making it through many auditions, she flew to the school two days after her mom's arrest for the final selections. When she landed, the school emailed her withdrawing their invitation to audition. She called us from the airport in hysterics, begging us to "do something, please, please do something". From the devastation of that day, Sophia is slowly regaining her equilibrium and getting on with her life. She still doesn't like to sleep alone and has nightmares from the FBI agents waking her that morning with guns drawn.

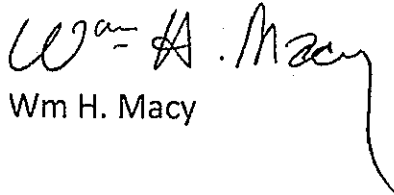
Georgia, our youngest, has surprised me. After watching the six FBI agents put her handcuffed Mom into a car and drive her away, she cried. The next day she said she wanted to go to school, but as the news of the case became a firestorm she had to come home. The following day, on her own initiative, she returned to school and talked to her Adviser and the Principal telling them she knew nothing about the scandal. She contacted several places where she had applied for summer internships trying to salvage her chances. This summer Georgia has already done a week at California Girls State where she was elected to the Supreme Court. She got an internship with an LA City Councilmember, and a second internship with a law firm. This is in addition to her usual community service work of tutoring for School On Wheels and The Teen Project which helps at risk girls get their GED. She's taken the lead in her college application process and has an east coast college tour set up for the fall. And this dyslexic girl, who couldn't read when she entered 3rd grade at Park Century School, finished her Junior year at an academically rigorous High School with two B's and four A's. To be sure Felicity's relationship with her daughters exploded on March 12<sup>th</sup> and rebuilding that relationship will be a long process. But I also want you to know Felicity has raised two amazing young women.

After her arrest Felicity found a wonderful family therapist and we've all been going (in various combinations) for the last few months. There is much to be done, and some of the hurt and anger will take years to work through, but we are making progress.

But of course, Felicity has borne the brunt of this. The paparazzi was camped outside our home for the first month or so, and they still have an uncanny knack of finding her. Felicity rarely leaves our house, because every time they catch her,

Thank you, Your Honor. If I may I'd like to tell you one more thing: every good thing in my life is because of Felicity Huffman.

Respectfully,

A handwritten signature in black ink, appearing to read "Wm H. Macy". The signature is stylized, with a large "W" and a long, sweeping underline that extends to the right.

Wm H. Macy



**TAB 2**

[REDACTED]  
[REDACTED]

July 7, 2019

Hon. Indira Talwani  
United States District Court  
One Courthouse Way  
Boston, MA 02210

Your Honor:

My name is Val Underwood. I direct an internationally known program for students who aspire to professional careers in the performing arts. Much of my year is spent raising scholarships for talented, financially disadvantaged students.

I have known Felicity Huffman for many years. I have always admired her for her great strength of character. She is not a person who shrinks from difficult situations and I have never known her to think of herself as better than others. These traits became even more clear to me during a very difficult situation in my life.

My brother Ray, a Los Angeles based actor and writer, was a close friend of the Huffman family and mentored Felicity when she first came to Los Angeles to study acting.

Later, Ray was a victim of the AIDS epidemic of the late 80's and early 90's. Ray was well loved by many, but when he became ill the large majority of his friends disappeared. They turned out in great numbers for his Memorial, but only a small handful stayed by his side during his ordeal. I don't mean this to sound resentful, because watching a beloved friend wither and die in the prime of his life is too much for many people to handle.

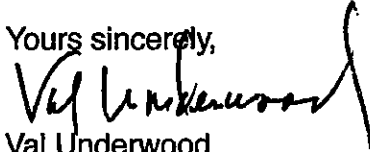
Felicity was one of that handful who formed Ray's care team. At that point in her life, she was a young, vibrant actress with a promising career and surely could have chosen other ways to spend her time. This was also a time when HIV infection was not fully understood and surrounded by fear. Yet whenever Felicity was needed, she would make herself available to relieve me as his principle caregiver. She took him to medical appointments, made his meals, stayed by his side and held his hand. He was never alone. On one of the worst evenings of my life, I asked Felicity to stay with Ray while I went to a consultation with one of his doctors to learn that he had contracted an opportunistic brain virus.

While Felicity was caring for him that evening, he suffered a nearly fatal reaction to a medication and developed a high fever, putting him into a delirium. Felicity called 911 and Ray was rushed to the hospital, where he remained unconscious all night. I encouraged Felicity to go home and rest, but she refused to leave the hospital room and remained with us until he regained consciousness in the morning. After that extreme

fever Ray lost his ability to speak, walk, and use his arm and hand and needed round the clock care for some time. In addition to helping Ray in increased ways, Felicity utilized speech therapy techniques and physical therapy exercises to help him regain his speech and physical function.

These are not the actions of someone who puts herself first, but of a deeply loyal and caring individual. One willing to make sacrifices to care for a friend during a frightening, physically and emotionally draining situation. I always think of Felicity with the highest regard.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Val Underwood', with a stylized, flowing script.

Val Underwood

Artistic Director  
Hawaii Performing Arts Festival  
[hawaiiperformingartsfestival.org](http://hawaiiperformingartsfestival.org)

**TAB 3**

August 6, 2019

Hon. Indira Talwani  
United States District Court  
One Courthouse Way  
Boston, MA 02210

Re: Felicity Huffman

Dear Judge Talwani,

I have so much to tell you about Felicity but I am limiting this letter to two characteristics which may not be readily apparent but for me are very significant; her kindness and presence with others and her moral courage and devotion. While I do not know completely what led up to this current situation, I consider it totally out of character and every day I am very aware of the profound suffering and regret my sister is experiencing. Her distress and confusion at her actions have provoked an intense self examination of who she is, what this means, and how she will go forward in all aspects of her life.

I am 15 years older than Flicka and was not a constant in her early life. I do know that even as her elder I have learned many things from her. One of the most important personal lessons has come from observing her interacting with others. In the process she remains present and engaged and I have never seen her take people for granted. She does not offer rote or automatic responses. She rarely says "thank you" or acknowledges someone without looking at them, seeing them, and genuinely expressing gratitude or interest. She makes people feel seen

and appreciated whether it is the checkout person, a taxi driver, friends and family, or someone well-known. To me this genuineness and appreciation demonstrates her underlying belief in the value and dignity of the individual person. I believe that these everyday, purposeful kindnesses are important.

Flicka's moral courage has been evident in many ways throughout her life. One incident has always stood out to me. The following account is as accurate as possible given that at 72 I have memory lapses and considerable time has elapsed since the events described. When Flicka was in elementary school, a friend named Ray lived with our family for his junior and senior years of high school. He and Flicka established a close, affectionate, and playful relationship. When she was 15, Flicka went to L.A to pursue her interest in acting and she lived with Ray. Ray was gay and it was during that time she became aware of the prejudice and open hostility towards people who were gay. As a result she affirmed and expressed her anti-homophobic values.

Several years later after graduating from NYU, Flicka returned to L.A. during a lost and painful time in her life. Ray was still in L.A. and in the final stages of dying from AIDS. It was a time of fear, prejudice and extreme ignorance about HIV and AIDS.

Ray was very charming, funny and talented, with many friends most of whom abandoned him in the final times of his life. Flicka was the



youngest member of a team of close friends who took care of Ray on a daily basis. There was little medical help available. Flicka was the youngest person on the caretaking team and had no training or experience in hospice care, AIDS protocols, palliative care or any medical procedures. I hope my phone calls with Flicka during this time allowed her talk about the situation and express some of her intense emotions, confusion, and lack of confidence. She described ambulances arriving at Ray's apartment with paramedics in full protective gear; a frightening scene reminiscent of movies about Ebola and apocalyptic epidemics. People were afraid to touch or have any contact with AIDS victims. Fear gave rise to anger and hatred. I remember Flicka being frightened, lonely and feeling ill equipped. As she said, "I don't know what I am doing but I show up."

Flicka took Ray to appointments with doctors and alternative medicine practitioners. She cooked for him, read to him and sat with him. In the beginning they talked and laughed a lot and later she would hold his hand and just be with him, showing her deeply meaningful ability to be fully present for people and not look away. At the end she also took care of Ray's personal needs; bathing, dressing, teeth, toileting, etc. This was all during a time when public perception was just beginning to shift yet fear and confusion still surrounded the AID's epidemic. Ray had no medical insurance and received substandard ER and hospital care when he was admitted during health crises. Flicka caught a staph infection during one such crisis with Ray at the hospital which must

have worried and frightened her. I remember Flicka being angry and frightened by the treatment Ray received from the medical profession. She was frightened for Ray and for herself. I still have so much admiration for Flicka's courage, loyalty, willingness to keep showing up during a time of such ignorance, confusion and fear about AIDS, death and dying and the intense care-taking required. She did this in spite of her own demons and fears, despite the loneliness and sadness of the situation.

In recent years I have been able to spend more time with Flicka's daughters than I have with Flicka. They visit us in Vermont and it reminds me of when Flicka would visit when she was younger; great fun, great laughter, wonderful games and playfulness. Her daughters are the same. They so easily took care of and engaged fully with their younger cousins. They are quick to help with any chores; dishes, cleaning-up, and laundry. Beyond any conventional politeness they are always genuinely grateful for all aspects of life here. To go from a life in Los Angeles to rural Vermont and be totally open to both what was not here and to what is, shows how genuine, open and considerate they are; playing in a brook, fooling around with animals, pulling younger children in a cart.....

I have always been amazed that for children who were raised with such material privilege, they remain so unentitled and unspoiled. They are respectful, caring and thoughtful. I know that they have been raised to

value kindness, thoughtfulness, , sensitivity and clear perception. And they are great fun to be with. I love being with them.

Flicka has always had good instincts and a clear sense of right and wrong. She is aware, thoughtful, loyal, intense, smart, funny and magnetic. I love her deeply and as is true of everyone – we are all so much more than our misdeeds. (paraphrasing B. Stevenson)

I truly appreciate the time you are taking to read these letters.

Sincerely,

*Betsey Huffman*

Betsey Huffman

[REDACTED]

[REDACTED]

**TAB 4**

Laura Bauer

Aug 4, 2019

Hon. Indira Talwani  
United States District Court  
One Courthouse Way  
Boston, MA 02210

Dear Hon. Indira Talwani,

I am writing to you today to speak about my friend Felicity Huffman. I would like to share with you a few words to help to bring to light what kind of person she is both in her strengths and her limitations.

We are both members of the Atlantic Theater Company in New York. We met through work and have been friends for 30 years. I have the unique role in our company of being the only Costume Designer. Most of our members are actors, but we do have one stage manager, one lighting designer, and a couple of writers. We spent many summers working alongside one another in Burlington VT (1989-1994), teaching students, rehearsing plays and putting on productions in City Hall. Felicity was the hardest worker among a group of very hard working young people. She also would not stop working until everyone was finished with their job and would pitch in breaking down sets, long after the acting work was finished. She was also a decent carpenter and our #1 pitcher when playing for our competitive softball team. She was never a hot house flower and she never trafficked in status. The mission of our theater company was to do good work, bring the words of the playwright to the audience, and to keep our egos out of it. Felicity did this with ease and along with another good friend Mary McCann, led our group through example. Mary as a mother figure and Felicity as a leader in terms of her work ethic. Manners, timeliness, respect for potential, and talent were the centerpieces to our identities in terms of how we related to our budding professional lives. They grew.

The groundwork that we laid with each other during that time continued in NYC for years, and our future proved to be beyond fruitful both in our work and our personal lives. We all got married within a few months of each other and started families in the late 90's. One of the benefits of coming up in a

theater company together is that you truly benefit from one another's strengths while learning from each other's weaknesses. As life has shown us we need to be there for that, too. We have been able to step into the roles that we established as very young adults to either aid a company member, or also guide one when they are in need. Long past friendship, our relationships with this group are more closely aligned with that of a family.

Now, I will highlight a specific event that is a good example of who Felicity's is and her character. One night in 1994, we were doing a play at the Atlantic Theater in Chelsea and we finished rehearsal at midnight. We do these horrible work days called "ten out of twelves" where you work from noon 'til midnight. A few of us went out for a late bite to eat and Felicity went home because she was flying home to Colorado to see her mother the following morning. On my way home that night, my roommate (who was the stage manager) and I stopped at a corner deli for milk (and Poptarts) and while in the store, I turned down an aisle where they had removed the floor to stock the shelves from the basement. I fell directly into that hole. I fell a full story and landed on my head, bit through my tongue, and knocked all my teeth loose. The stage manager, went down the ladder, picked me up and carried me out of the establishment and home 2 blocks. When he arrived he got me settled and despite it being 2:00AM, he called Flicka. That's her nickname. When you are shaken up, when it is the middle of the night, when you are hurt, you can call Flicka. He told her what had happened, she yelled at him for moving me, cancelled her trip and met us at the hospital. The following period of recovery for me was very difficult. She advocated for me with doctors, spread the word to friends that I needed care and support and was there for me until I was stabilized and on my way to health. We all turned to her in moments like that, because she is such a loving and caring person, and YES, she is capable.

Now, that being said there is another aspect to her that reveals another side, that is equally as real. She does not understand systems and despite the fact that she is very intelligent, and comes off as very intelligent, her brain is a bit like Swiss cheese. She is brilliant when it comes to character development and script analysis and a big dummy when it comes to anything organizational. She enters circumstances involving systems feeling like failure is lurking. She has described feeling like everyone else knows something she doesn't. Our daughters are the same age, but it is not only her daughter that has legitimate learning issues, Felicity does, too. Her brain works tangentially not linearly, and she is overly impressionable for a woman who comes off with such gravitas. We have gone through all the same milestones together with our kids, and when it is time to do something that is related to systems it is me, or Mary McCann, who usually lead the way in terms of how to navigate these more linear experiences. I'm not an expert either, but I don't lack confidence

and I can do research and fill out forms. She's not great at that, never has been. Her fallback method is to ask someone who seems to be in the know. This works just fine if you are surrounded by people that are trustworthy. In a normal scenario, as we approached something like college admissions, she would ask us, what do I do? How do I do this? What are you doing? And then we say, I am doing THIS, or THAT and she follows along. I think she didn't want to over burden me or Mary, as we all three were going through the same process with our girls. She has been there for me so many times over the years, I feel terrible that I didn't intervene and see if she needed help.

Felicity and Bill's home has been a gathering place for so many. They take people in who need a place to stay, they babysit for kids, they advocate for people, they give people chances. They are a hub of kindness and generosity. They are excellent parents, and that is not a compliment that I throw around much. I have never seen a more devoted mother. She has created a home with love, but also limits. She also has allowed her daughters to see a real person who tries her best in all situations. Both girls are loved so completely, and valued for who they are as people not for how they reflect on their family. The girls are hard workers who have a beautiful sense of integrity. Sophia is a wonderfully talented actor. Georgia is an agile equestrian rider and a diligent worker who struggles with dyslexia. This situation is tragic, but Felicity's concern has remained concretely on the girls and how it will affect them. Her contrition is real. Her regret complete. They are starting over in this process and without excuses, she is modeling the behavior that she believes in as a parent.

Holding you in the highest regard, thank you for reading my letter.

Sincerely yours,



Laura Bauer





**TAB 5**

Hon. Indira Talwani  
United States District Court  
One Courthouse Way  
Boston, MA 02210

Dear Judge Talwani:

I have been fortunate to call Felicity Huffman my friend for around 20 years now. At first I knew her as a friend within a circle of friends. Someone whose talent and work ethic I greatly admired and whose intelligence and sense of humor made her the life of the party. I was a part of the group, but wasn't one of Felicity's confidants.

When I turned 30, I hit a very low point in my life. I struggled with depression to the point where there were times I couldn't get off of the floor. I was obsessed with exercising, with calorie counting my food, I hated being in my body and couldn't stand anyone looking at me. It wasn't a high point for sure. Somehow Felicity got wind of the fact that I was struggling, that I wasn't well, that I wasn't coping. At this time, I was living in New York, and Felicity had long ago moved to Los Angeles. Out of the blue, I received a phone call from her to inform me that she would be stopping by. Before I knew it, she was at my apartment building. She came into my apartment and saw me still in my pajamas in the middle of the day. She sat on the bed with me, never pressuring me to get up, but rather just sat there listening while I spoke of my pain. As I am typing this, I am crying remembering that moment. She became my lifeline. She shared her personal experiences of going through a similar time, she gave me advice, guidance, support. She got me to take a shower, and we went for a walk. We ended up at a small deli restaurant and she helped me look at a menu and figure out how to order. That sounds odd I know, but when you are in the midst of an eating disorder, looking at a menu is extremely scary. Felicity didn't make me feel like a victim, she didn't make me feel stupid for having such a hard time dealing with the day to day, instead, she held me gently with her support and words and showed me a way out of this deep, dark place I was in.

That day is forever imprinted in my mind. It was a selfless act that I can plainly say helped save my life. We were not the closest of friends at that time, and yet, she reached out to someone very much in need and she didn't expect anything in return. Since then we have become very close and I continue to experience a friendship that is always honest and a support that is unyielding. My trust in her runs so deep that I have asked her to be responsible for my children should anything happen to me or my husband. She continues to be the friend who you can call in moments of crisis, someone who gives love and support unconditionally, who constantly throws lifelines when you feel at your lowest. I know too that her generosity still extends beyond those she is closest to. The world is a better place for her being in it.

Thank you so much for your time.

Sincerely,

A handwritten signature in black ink, appearing to read 'K. Blumberg', with a long, sweeping horizontal line extending to the right.

Kate Blumberg

Hon. Indira Talwani  
United States District Court  
One Courthouse Way  
Boston, MA 02210

Dear Judge Talwani:

In the fall of 1986, Felicity was part of a group of about 10 people in their early 20s living in Chicago and trying to get a struggling acting company off the ground. I was a college student on leave from New York University, and travelling to Chicago to take the lead role in her company's next play.

Of the group, Felicity was the only one I knew. The previous summer, after hearing I might not be able to raise enough money to relocate myself to Chicago by September, she'd contacted me out of the blue to offer me her car to make the drive west from New York. Would that make any difference, she wondered? It did. That and the loan she offered next, money I could pay back that summer, starting by helping paint a simple, single cabin she and her boyfriend had up in Vermont. I leapt at the chance, grateful that lack of any handyman skills on my part never dissuaded her.

Her treatment of me during that vulnerable and critical leap towards fulfilling the dream of becoming a professional actor gave me tremendous confidence. By the end of that '86 summer, I had saved enough to relocate, pay my portion of rent, and buy me time to find a P/T job in Chicago while rehearsing and performing. Flicka (as her friends called her), handed me a gift just before making the journey west. It was a briefcase made of soft black leather, and contained a ruler, a place for pencils, sharpener, metal notebook clasps, and zipped up neatly: its design seemed intended to not only hold onto scripts, but to care for them. This was a satchel used by a *professional actor*. Not only did Felicity see me that way, she had recognized I needed to see myself that way.

I've never forgotten that act of simple generosity. It was the beginning of many instances her giving and selfless nature, mixed with a practical and no nonsense work ethic, would come at a crucial moment in my life. Ultimately, that struggling company I joined in 1986 not only marked the beginning of my career, it held my lifelong friends, including my future wife.

For the past decade, Felicity's generosity and foresight have proved invaluable. In 2010, when my wife Kate and I moved to Los Angeles from New York on the spur of the moment and with our 9-month old, Flicka offered her house to us indefinitely until we found a suitable furnished apartment of our own. (three months later we were still living at Felicity's celebrating our daughter's all important first birthday). In 2012, my family was moving into a new and larger rental, our first actual *house*, and expecting the imminent arrival of our second daughter. Felicity, bringing both of her daughters, showed up to organize our new baby's room. She'd brought toys and baby furniture her own children had outgrown that she'd been saving for us until we had the proper-sized space. In 2015, when we finally purchased our own home, she showed up once again with her daughters Sophia and Georgia to organize the garage and to assemble a shelving unit they'd thought to pick up from Home Depot on the way over. That first day in our new

home, she noticed that we had our own orange tree. The next time we saw Flicka, she gave us an orange juice press machine as a housewarming gift.

Over the years, when Flicka helps you find the proper prenatal doctor, or bakes a cake and hosts a family member's birthday or special occasion, or insists her daughters babysit so that, as she explains, they will learn the value of P/T work while my wife and I can be reminded of the value of actually going out on a date, there's never any thanks required. In her mind, these acts of kindness are practical, necessary, and she simply has the means to do it. When she provides assistance with airfare to make it possible for us to have a family vacation, there's no need to repay her. Besides, she'll point out, the vacation will allow us to stop by her family house in Colorado, it'll be Thanksgiving and she'd love our families to spend it together. It's *she* that wants us there, and we'd be doing *her* the favor.

Thank you for allowing me to share my feelings and thoughts about Felicity Huffman as a longtime friend and as a godparent to my children.

Sincerely,

A handwritten signature in cursive script that reads "Todd Weeks". The signature is written in dark ink and is positioned below the word "Sincerely,".

Todd Weeks

**TAB 6**

Ellen Etten



Hon. Indira Talwani  
United States District Court  
One Courthouse Way  
Boston, MA 02210

August 6th, 2019

Dear Judge Talwani,

I'm a writer by trade, and yet I have to admit that this this has been one of my toughest tasks to date—but certainly not for lack of things to say. It's simply hard for me to find the words to express the many ways in which Felicity Huffman has changed my life for the better. How she has opened her home, family, and world to me. How she's afforded me countless career opportunities. How she's become a mentor to me, taken me on incredible trips around the world, and taught me invaluable life lessons. Felicity took me under her wing at a time when I desperately needed it, and as a result, her and her loved ones have become like family to me. Words can't do justice to the role she's played in my life, but I will give it a whirl.

I was introduced to Felicity through my former college acting teacher Kate, a close friend of Felicity's. I had done some babysitting for Kate, and she knew I was struggling to find a steady job. I had lived in LA for several years and experienced my fair share of nightmare jobs. I was a struggling actor at the time, and I waitressed, bartended, and babysat to pay the bills. So when I got the call about a steady, well-paid nanny position for Felicity and her family, I was definitely excited, but also wary. To date, none of the wealthy families I had worked for had been particularly kind or welcoming, and I wasn't sure what to expect from this high-profile couple.

What I met with was the warmest, kindest, most loving environment I've ever experienced. Felicity immediately made me feel that I wasn't just a "nanny", but that I was a part of the family. I know that sounds hyperbolic, but it's the truth. I was immediately considered part of the gang. I actually LOOKED FORWARD to going to work- to this fun house where we laughed and swam

and ate big meals all together- and I went on to work for them for many years to come. Now, all these years later, I still look forward to the big family meals, holidays, and celebrations spent at their house.

Immediately upon walking into the Huffman/Macy household, I was struck by what a tight-knit and loving family they are. Felicity and Bill were both very involved parents, even in spite of being on hit TV shows and juggling extremely busy schedules. They ate dinner together almost every night, and Felicity often initiated the game "rose and thorn", where you go around the table and tell your rose, or high, and thorn, or low, of the day. It cultivated a real, genuine conversation about what everyone had going on in their lives- from normal pre-teen struggles with friends, to their latest crush, or a good horseback riding lesson. Felicity and Bill also shared honestly about the good and the challenging from their days, and their level of communication as a family unit blew me away. Felicity's daughters went to her with literally everything they had going on in their lives, and even through high school and teenage years, this closeness never changed.

Beyond making me feel a part of the family, Felicity took a genuine interest in me as a person. She asked me about my family, my larger career goals, and my life as a whole. I distinctly remember one conversation we had, probably six months into working with them, where Felicity asked me how things were going with my acting career. I answered politely that not much was happening, that I wasn't feeling very excited by it, and that I had actually been doing more writing lately. In most situations, that would've been the end of the conversation. But Felicity is extremely intuitive and beyond that, extremely caring, and she dug deeper. She asked about my writing, what specifically I was working on, and encouraged me that if I had a talent and enjoyed it, to really go for it. She could sense I was feeling unfulfilled chasing after an acting career that might never come, and I remember so well her saying, "If you like writing, and you have a knack for it, GO FOR IT. Please. We desperately need more smart, funny, female writers."

It may seem small, but it was the exact encouragement from someone that I so deeply respected in the industry that I needed at that moment. Her encouragement allowed me to pursue writing, and within a few months I was shooting a series I had been writing in private for a long time. Felicity and Bill were there at the screening party cheering me on as I officially began my writing career, and to this day, I credit Felicity in large part for giving me the strength to pursue this new career path.



Over the years, Felicity consistently looked for ways to push my writing career forward. She not only championed my work, but she opened doors for me, collaborated with me, and always willingly accommodated my schedule when I began getting meetings and opportunities while still working for them. No one has been more instrumental in my career-- even when it was not in her own self interest, as it would mean losing her employee and a long time caretaker of her girls.

I am still extremely close with Felicity's daughters, Georgia and Sophia. I love them like the younger sisters I never had, and we have a special, unique relationship of our own. Georgia and Sophia called me the morning Felicity was charged in this case. Both were at a loss of what to do or where to go, and I immediately told them to come over. We spent the day together watching movies and eating Thai food and crying. The thing that struck me the most was their fierce love and concern for their mother. The next thing that struck me was the jarring details of how these teenage girls had been awoken that morning by the FBI charging in their rooms, guns drawn, and how deeply rattled they were by the entire event. Granted, this ordeal would be upsetting regardless, but bursting into a teenage girls room and waking her with a gun drawn at her head felt completely unnecessary to me. In spite of the trauma, I've watched this family band together during this incredibly trying time, as the strength of their love has been tested but never broken. I never doubted, given the foundation from which they started from, whether they would get through this as a family-- and I know ultimately it will only bring them even closer.


When I accepted that nanny position all those years ago, I never could've imagined that what I was actually gaining was family. Family who would one day be a part of my wedding. Who, years later, my husband and I would still spend holidays and birthdays with. Family I would travel the world with, both while working and later as a friend. Family I truly can't imagine my life without.

I am deeply grateful to Felicity for this immense gift. For opening her world, her family, and her heart to me. For sharing the benefits of her success with all those around her. For always holding the door open for a young woman trying to break into the entertainment industry with an unwavering resolve.

I deeply admire Felicity as a person, a businesswoman, and most of all, a mother. We all misstep at times, but nothing could ever change my opinion of this phenomenal woman. I hope that my experience helps shine a light on

who Felicity Huffman is, and I can only hope that everyone has a Felicity in their lives—fearlessly loving them, fighting for them, and offering them a seat at the table.

Respectfully,

A handwritten signature in cursive script, appearing to read "Ellen C. Etten".

Ellen C. Etten

**TAB 7**

August 7, 2019

Lucas Ross  
[REDACTED]  
[REDACTED]

Honorable Indira Talwani  
United States District Court  
One Courthouse Way  
Boston, MA 02210

Dear Judge Talwani,

May 20, 2013 was a month that rocked my state, my job, and had the world's eye on people near and dear to my heart. I live in Oklahoma and on the day previously mentioned one of the deadliest tornados to date devastated us. Families' homes were wiped out. Entire neighborhoods were left unrecognized. Most notably, an elementary school was hit during school hours while children and teachers attempted to seek shelter. Unfortunately, many died that day. Many children were trapped while parents and authorities attempted to save them. Many parents were never able to hold their babies one last time. The world watched as we attempted to gather funds, resources and formed clean-up crews. I personally was thrown into the middle of it. At the time I was working full-time at the Oklahoma City NBC affiliate, KFOR-TV with my brother, Marcus.

Just days before this event I had been cast in a feature film that was shooting in our state: Rudderless. The film was directed by William H. Macy and featured his wife, Felicity. While I never crossed paths with her on set, it was days after the storms hit. Not long after our news station was contacted by William and Felicity as they wanted to produce a public service announcement commercial for the Red Cross association to raise funds and awareness for what they witnessed while in our state. My brother, Marcus was called to go film it. The P.S.A. had Felicity and William standing together on set talking about the disaster our state had seen many times before. Nearly in tears as she asked people to consider helping in anyway, Felicity blew a kiss to the camera and said, "Thank you." After that my brother called me saying, "Felicity wants to go to ground zero." By this point police had blocked off all access to the heaviest hit areas, but we had access to a station vehicle and could get in. We picked up Felicity and loaded up items she had purchased earlier that day. Diapers, women's products, cleaning supplies, water from Felicity were all loaded up in front of the news station and then we drove down to Moore, Oklahoma.

For the forty-minute ride we all got to know each other real fast. I was star-struck at first but soon found myself, along my brother, in deep conversation with a person who would go on to be a friend. Driving to the destruction Felicity picked our brains about

Oklahoma, our church, and respectfully asking what many people ponder about our state: "Why do people live here if there's the chance of these kind of storms?" While we talked about how the faith, we were raised in was based on love, helping others and being inclusive to all people; a shock to many who have preconceived views of 'fly-over-states,' it was if Felicity's eyes starting to open and see things differently here. By this time, her days in Oklahoma were surrounded by the kindness our state offered, now she was seeing just how far people here will go for one another.

We arrived at the police line and an officer recognized me from the local coverage so we were allowed to drive through and see what was once a lush suburb, not unlike an Oklahoma version of "Wisteria Lane" from Desperate Housewives, reduced to driveways and rubble. The only thing recognizable were the people sitting in their driveways guarding whatever was left of their homes. The smell of mixed gases, oils and other chemicals is something I'll never forget. I didn't realize that while possessions are scattered and mixed, so are all home products which often lead to potentially deadly gases or mixtures. Felicity looked at me and said, "I don't know if I will be recognized or not, but I really want to work. If I get stopped, I'm happy to visit, but when I look at you and smile you have to be the 'bad guy' and say something like "Felicity has to move along now." I was to be her unofficial 'handler.'

Not long after we walked into what was left of a neighborhood, we heard a voice shout, "It's you!" Felicity turned to me and my brother who was capturing the surroundings on camera. "Here we go..." she said, as I prepared to guard her from a fan. But it wasn't Felicity they noticed. I happen to film local commercials as well as be perform comedy locally on the KFOR morning show. The woman who shouted to us had recognized me. Felicity looked at me after the woman hugged me and thanked me for coming to help. "Who are you??" Felicity asked. "No one. I just do some local tv and work with the community." "This is great! You can distract them a bit?" she asked. And just like that, we interviewed the victims of the storm and Felicity was able to get to work. She cleaned, lifted parts of walls- even stepped on a rusty nail helping those who had lost it all. Over time people started to catch on that it was her and after a brief, hello and hug, she would continue to work right alongside people who were at their lowest. Keep in mind, while my brother was filming for news, Felicity was clear she didn't care to be on camera. While she was happy to appear, her mission was not to be seen doing this. She was a mother, helping other hurting parents. No politics, no agenda- just humankind at its best.

One elderly woman sat in a lawn chair crying, as she lost her cat in the storm. This cat was all she had left in life, on top of losing her home. Felicity kneeled down with her, hugged her and cried with her. This woman had no idea who she was at the time other than she seemed like a typical Oklahoman, there to help. And that day, Felicity was. We moved from rubble to rubble, helping and hugging, and suddenly Felicity heard a sound in an old pickup. She said that it sounded like an animal was trapped or inside. We looked under the seat and there was a cat. She looked up and me and the owner of the

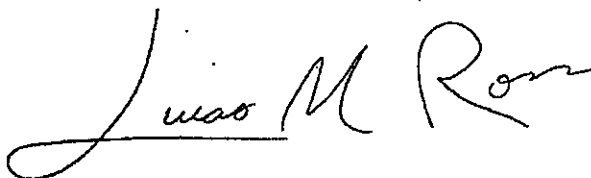
truck, "what if that's her cat?" It was. Felicity brought more than just joy with her that day. I watched as she walked the shaking feline down the torn-up sidewalk back to the older woman still sitting wondering what to do next. Tears flowed from everyone as the woman hugged her cat again. That day Felicity helped reunite a family.

After hours of working we stopped by a local church that was packing backpacks for kids who had lost theirs in the storm. She helped for hours until there was nothing more to pack. We moved along to another facility that was gathering supplies for the first responders and volunteers. Countless times she lifted what seemed to be twice her weight in water, cleaning gear and other basic necessities. As night started to fall and we drove back, I will never forget the passion in her voice. What was once, "*Why would people live here?*" had turned to "*Should I move my family here?*" Felicity had seen the heart of what the 'heartland' was all about. The thing is, she was in her natural environment. Her instincts as a mother, a wife and a friend made her shine that day. This was not a charity case or ploy for attention. She even refused to share the news story that mentioned her efforts as she never wanted it to be about her.

We stood at the KFOR station that night, she held my phone and sent a message of love to my wife and kids, thanking them for sharing me with her that day. We all hugged and departed. I received a text from her that night thanking us again, but it was Felicity that was the catalyst in all this. We may not have had the same drive to get our hands dirty that day. I will forever be grateful for that day and how it changed my life.

From there, Felicity would stay in touch with us. Whether it be checking in every few months, encouraging our projects, or emailing our mom to get 'beekeeping tips' as William wanted to start a bee yard - and our family is honey producers. Felicity asked me that night on the way back if she should be raising her girls here in Oklahoma away from the Hollywood lifestyle. I could hear in her voice that she loves them and that she always has her family first. I cannot imagine what it is like to be a parent in the industry she works in. I do know this, she has a heart of an Oklahoman and from that day forward, she will always be an 'Okie' and my friend. Thank you for your time.

With all sincerity,

A handwritten signature in black ink that reads "Lucas M Ross". The signature is written in a cursive, flowing style. The first name "Lucas" is written with a large, sweeping capital 'L'. The middle initial "M" is smaller and more compact. The last name "Ross" is written with a capital 'R' that has a long, horizontal stroke extending to the left, underlining the first name.

Lucas M Ross

**TAB 8**



August 6, 2019

Hon. Indira Talwani  
United States District Court  
One Courthouse Way  
Boston, MA 02210

Marc Cherry  
[REDACTED]  
[REDACTED]

Dear Judge Talwani,

My name is Marc Cherry. I'm a television writer in Hollywood best known as the creator of the television show *Desperate Housewives*. I've been asked by Felicity Huffman and her counsel to write to you. They tell me some judges, before imposing sentence, find it helpful to read personal accounts from the family and friends of the defendant, in order to gain better insight into the human being that will come before them.

I think it's a terrific idea. In fact, I wish you knew her personally. If you did, I think you would like her very much. Certainly, Felicity was beloved by the people who worked with her on our show. Her fellow actors, the directors, and crewmembers -- they all had something lovely to say about her. Mostly, because she is a successful, award-winning star who never acts like a successful, award-winning star. She was, and continues to be, a kind, down-to-earth and caring individual. That makes her something of a unicorn in Hollywood. But those qualities exist in Felicity. In abundance. Let me tell you some stories.

Things I have witnessed firsthand:

One time I booked a well-known character actress to appear on DH. She was to play an elderly neighbor of Felicity's character. They had three big scenes that required a whole day to shoot. I was called by the line producer around noon. He told me this actress (who had once been nominated for an Oscar) could no longer remember her lines. Consequently, the scenes were taking forever to shoot. The next day I saw the dailies and it moved me to tears -- this formerly great performer was struggling with practically every word. But Felicity Huffman was right next to her, treating her with so much kindness. Gallantly throwing her cues and gently reminding her which lines to move on, etc. Take after take it went on. The actress, who was in her seventies, started becoming increasingly flustered and embarrassed at her inability to do her job. But Felicity remained patient and supportive and helped this old woman through the day, turning what could have been a very tense situation into a master class on human compassion.

I had a party and invited several people involved in show business. One woman who came brought her teenage daughter. The girl was, and still is, an aspiring singer. She wanted to meet Felicity, who I'd also invited to the gathering. I brought Felicity over and introduced them. The teenager very quickly began talking about her hopes and dreams and began peppering Felicity with

questions about the business. What I thought would be a quick intro turned into an impromptu career advisement session. I was concerned that Felicity might feel overwhelmed and attempted to guide the young girl away. But Felicity, feeling my discomfort, grabbed my wrist and softly whispered, "I got this." So I went back to playing host and greeting my other party guests. I looked back fifteen minutes later and Felicity was still speaking with the young girl, listening to everything she had to say and answering every question she had. At the end of the evening I checked in with the teenager and she couldn't say enough nice things about Felicity. At this point, I should mention none of the other famous people at the party spent more than two minutes with the girl. I'm proud to say Felicity made her feel like an equal.

The last week *Desperate Housewives* was in production, Felicity came into the writer's room. Felicity politely asked if she could have a minute of our time. Naturally, we said yes. Felicity then launched into the loveliest speech about how she had always wanted to work on a TV show where she could experience an honest and open collaboration with the writing staff. With tears in her eyes, she thanked us for everything we'd done for her over the eight seasons, most especially for listening to her and respecting her as an actress. The fascinating thing is... I had a cast of sixteen actors. She was the only one who ever stopped by the writer's room to say thank you.

We had a problematic cast member on my show. She was a big star with some big behavioral problems. Everyone tried their darndest to get along with this woman over the course of the show. It was impossible. And things went from bad to worse. At some point during season seven this woman decided she would no longer speak to her fellow cast members. (She would only communicate with the directors who were then forced to pass on her thoughts to her co-stars. This was alternately maddening and hilarious.) Felicity still insisted on saying, "Good morning" to this actress, even though she knew she wouldn't get a response. I found out about this and asked Felicity about it. She smiled and said, "Just because that woman's determined to be rude, doesn't mean she can keep me from being polite."

The following is partly something I witnessed and partly something Felicity confided in me -- When our show was picked up we flew the cast to a press event in NY. Felicity and her cast members (Teri Hatcher, Eva Longoria, Marcia Cross and Nicollette Sheridan) were swarmed by photographers. Every woman was dolled up to the nines and for the first time, Felicity started to feel insecure about her appearance. The advance buzz on the show was growing and people were commenting on how extraordinarily beautiful the cast was. (The other actresses had all been models before they'd been actresses or had spent the first parts of their careers playing sexy vamps. Felicity was the only one who hadn't.) After the event feeling self-conscious, Felicity called her husband character actor William H. Macy, and said to him somewhat tearfully, "I feel like the ugliest one in the room." Bill's response? "I always feel like I'm the ugliest one in the room." He made Felicity laugh and see the ridiculousness of her insecurity. She told me, "That's the last time I ever worried about comparing myself to my costars."

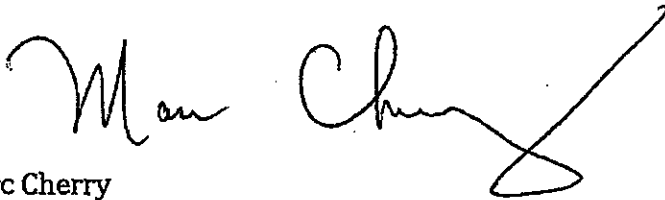
I've got lots of stories like this about Felicity. I also remember moments. Too small to qualify as anecdotes, but they are also live in my brain. Little flashes of kindness that come to mind whenever someone asks me about this beautiful woman.

The way she held a co-star's hands when she was crying about not being able to have children. The encouraging things Felicity said to me when I was affected by a bad review. The loving, but firm manner she used to guide the young actors who played her children on our show.

Thousands of tender images flood my brain and heart when I hear the words "Felicity Huffman." Sadly, I can't share them all. All I can do is tell you I love her and beg you to believe me when I say – "She is one of the best people I know."

Any mercy you show to this woman will not be wasted.

Respectfully,

A handwritten signature in cursive script, reading "Marc Cherry". The signature is fluid and stylized, with a long, sweeping line extending from the end of the name.

Marc Cherry

**TAB 9**

August 7<sup>th</sup>, 2019

Hon. Indira Talwani  
United States District Court  
One Courthouse Way  
Boston, MA 02210

Dear Judge Talwani,

Thank you for allowing me the opportunity to write something down about the character of my good friend Felicity Huffman. As I sat down to write this, numerous wonderful memories have flooded my mind, so I will try and keep this brief and specific to those moments that really impacted me.

I worked with Felicity for nearly a decade of my life on a television show. Seeing her every day, of every week for nearly 15 hours a day. When I began the TV show, I was very new to the business and industry as a whole. Felicity was the first one to take me under her wing. From the first table read of the script, she noticed me sitting alone, scared and unsure of where to go and what to do. Her gentle character and kind heart immediately opened up to me. She approached me, introduced herself and said, "Don't be scared, we will get through this together," as she sat down beside me and never left my side since that day. I remember having to walk on stage at my first award show but having so much fright that I couldn't move. Felicity wrapped her arms around me and said, "Don't worry I got you" and held my hand the whole time, never letting go. There was a time I was being bullied at work by a co-worker. I dreaded the days I had to work with that person because it was pure torture. Until one day, Felicity told the bully "enough" and it all stopped. Felicity could feel that I was riddled with anxiety even though I never complained or mentioned the abuse to anyone. Our TV show as compromised of four women and one award season, all three of the other women got nominated for a Golden Globe, I did not. I was the only one who was left out of the nominations. I wasn't devastated but the press made it a bigger deal than it was between the four of us actors and that did affect me a bit. Felicity came to my trailer and said, "It's just a piece of metal, that and \$1.50 will get you a bus ticket." She then proceeded to tell me how talented I was and how I never needed an award to know that. Her humor always made things better, but it was her heart and intentions to make sure I was always ok that I remember most. I don't know why she always felt like she had to protect me. Maybe because I was the youngest on the cast or naïve about the industry, whatever it was, I am forever grateful.

I know I would not have survived those 10 years if it wasn't for the friendship of Felicity.

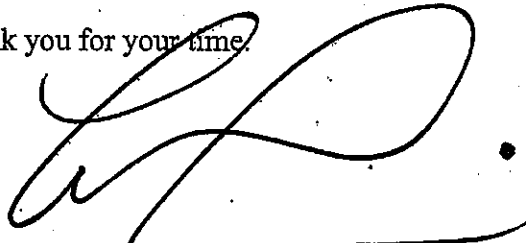
I also know these things may sound like first class problems or small insignificant moments. But to a young, naive, Mexican girl who felt like I didn't belong, those gestures meant the world to me. She mattered. And everything she did to help me along the way, mattered. I don't even think she would remember half of these moments because it was just in her nature to be kind and supportive. But to me they meant the world and were exactly what I needed in those moments.

One of the most significant examples of Felicity's kindness came about when we had to renegotiate our contracts. I was the lowest paid actor on the show, by far. But I mean, by far! Felicity and the other ladies were making much more than I was because I was the most inexperienced. Felicity brought up the idea that we should negotiate together, something we call favored nations that means we all make the same. This meant that my salary would significantly increase and I would be on par with the other, more experienced actors. Well needless to say, that did not go over too well with the others. But Felicity stood up for me, saying it was fair because the success of the show depended on all of us, not one of us. This fight lasted weeks, but Felicity held strong and convinced everyone this was the right thing to do. And thanks to her, I was bumped up to favored nations. It wasn't about the money for me, it was the fact that I was seen as an equal, which is how Felicity had always seen me. Now, thanks to her bold act, everyone saw what she saw, not only on our show, but within the industry.

Outside of work, I knew I could always count on Felicity. I wanted to use the spotlight that the TV show gave us to bring awareness to numerous charities that I support. I knew I couldn't do it alone so I asked the other women to join me. They were all usually too busy to help, except Felicity. I can't tell you how many times she was the only one who would physically show up to help me with kids with cancer, or children with special needs. The most special part about this is that my charities were always for children of the Latino community. I did the work because I am Latino, but Felicity didn't have to, she wanted to. There were so many times Felicity was the only white woman in the room helping me improve the lives of these brown faces and families. I will never forget that.

She always leads with her heart and has always put others first. This is why I still call her my friend today and always.

Thank you for your time.

A large, stylized handwritten signature in black ink, appearing to be 'Eva Longoria'.

Eva Longoria Baston

**TAB 10**



Isabel Belden  
[REDACTED]  
[REDACTED]  
[REDACTED]

July 1, 2019

Honorable Indira Talwani  
United States District Court  
One Courthouse Way  
Boston MA 02210

Dear Honorable Judge Talwani,

Felicity is my younger sister. We come from a family of eight siblings. Growing up was difficult in a home of abuse and we all adopted different coping mechanisms. Most of all we formed an unbreakable bond that has kept us close through all the years, even as we have spread out across the country. My method was to retreat, be wary and cautious and I feel most comfortable alone and out of social settings. From my point of view, Felicity at an early age clearly embraced life and was eager to fulfill her dreams of acting.

There is no greater pain for a mother than losing a child. When my son Grant died, I was devastated and felt deep anguish. I could not imagine living without my son and the rest of my life seemed unbearable. Felicity was there for me immediately. She had her own busy life with her family and career, but she still came many many times to be with me, to a distant and remote area of Wyoming. She consistently called to check on me and continues regularly to call as days and weeks have painfully become two years. Felicity and my family never once have backed away from my constant and inconsolable grief. She gave me two gifts: her time and presence.

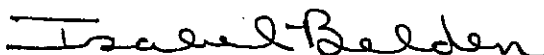
My husband has a young nephew who is gay, which can be a troubling time for an adolescent. Felicity has taken him under her wing. She has expanded his vision of what great opportunities there are and to never give up on one's

dreams. Her gift to this young man is hope and the knowledge that there are people who care for him deeply.

I have always admired Felicity because she has never backed away from challenges or been afraid to stand up for what she believes in. She comes forward with strength and compassion when she sees someone struggling and in need.

I believe in God's love because he has blessed me with such an inspiring family.

Sincerely Yours,

A handwritten signature in black ink that reads "Isabel Belden". The signature is written in a cursive style with a horizontal line above the first name.

Isabel Belden

**TAB 11**

August 1, 2019

Grace Huffman

Hon. Indira Talwani  
United States District Court  
One Courthouse Way  
Boston, MA 02210

Dear Judge Talwani,

I am writing to you in regards to my sister, Felicity Huffman, in an attempt to convey to you who I know her to be, who she truly is and what she means to me and those around her.

Felicity is the youngest of my seven siblings, and as I am 10 years older I have had a unique vantage point from which to view, appreciate and love her. Over the course of our lives together she has moved from the "younger sister" to my staunchest supporter and touchstone. She is that person who is always there for me regardless of the cost to herself. In any crisis large or small she jumps into the breach and does so with strength and graciousness, especially when it is not easy.

When I went through an excruciating divorce with three small children, Felicity was our rock. During the divorce and in the following years she would come over, pile my three kids into her car, take them for a day of excursions and then keep them for a sleepover. She would return them good-and-tired, but more importantly happy. She brought joy into my children's lives at this dark time. There were also hours she spent with me on the phone, at any time of the day or night, helping me navigate the painful territory of divorce. Her unsolicited (yet critically needed) financial support was constant. In fact, she helped me buy the house that my children and I moved into. Felicity stepped in for my children in a crucial way for which I will be forever grateful.

While our sister Jane was dying of breast cancer, the six sisters and our one brother would take turns caring for her in one or two week stretches, but as Jane was the closest

person to me in my life, I remained with her for the whole six months. When Felicity was there, she would make Jane laugh, rub her feet, sing to her, and lighten her spirits as only Felicity could. But she also knew, even though I wasn't aware of it, that I needed to be cared for too. Everyday she would make me take a walk with her and ask me about our childhood; what I loved most about Jane, what my first memories were of her and what made us so dear to each other.

Those walks reminded me that what I loved about Jane would always be with me.

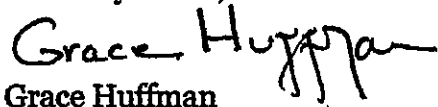
After Jane died, I was lost in grief and overwhelmed in having to plan her memorial. Then Felicity called. She flew in that very night after work and by midnight we were together creating the memorial program due to be at the printer's the next morning. I cannot tell you how relieved and grateful I was. When she shows up I don't feel alone anymore, I feel like a team. One of Felicity's greatest qualities is that she always shows up for others, even at times when she is exhausted, suffering with shingles, or compromising her career. She is selfless.

Felicity radiates appreciation of others. Simply said, people spontaneously feel good about themselves when with her. They light up. It is one of her intangible gifts that extends not only to family and friends, but to total strangers. I've witnessed this phenomenon time and time again whether she is bantering with a group of youngsters in Thermopolis, Wyoming, hosting a fundraiser in LA or running errands with me. She is a light to those around her and she has especially been a light to me.

While writing this letter to you I have been painfully caught between the gripping desire to convey to you who my sister, Felicity, truly is, and the anxiety that I will fail to find the adequate words, expressions or memories to do so. I can only thank you for your consideration of my efforts.

In the end I am honored and deeply grateful to be Felicity's sister and will forever remain so.

Sincerely Yours,

  
Grace Huffman

**TAB 12**

Jessie Huffman

July 5, 2019

Hon. Indira Talwani  
United States District Court  
One Courthouse Way  
Boston, MA 02210

Dear Judge Talwani,

I am writing to you as Felicity Huffman's older sister with the intent of portraying to you her outstanding qualities.

Our family is very large and as such it was a tradition that each of the older children were designated to be a guardian/protector for a younger sibling. It has been my honor and privilege to be Felicity's. I have always admired and loved her goodness.

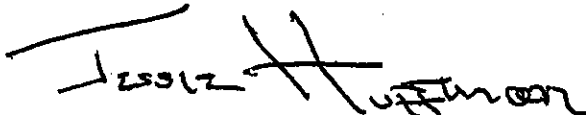
Felicity seems to have an uncanny ability to sense when one of us is in distress and she never fails to give her unwavering support and compassion. When I was a new mother with a five month old baby girl, my husband and I were living on a ranch outside of Sheridan, WY. My daughter, Grace, was having trouble breathing and started to run a fever. Of course I was alarmed; my husband brushed it aside as a normal childhood sickness. At this point, I felt unsupported and alone in my concern. I took Grace in to her pediatrician who immediately sent us to the Hospital. I was in the waiting room while they took her to radiology. I remember so clearly hearing her wails of protest as they positioned her for X-rays. I was so upset, fearing for my daughter and feeling negligent as a mother. The doors of the emergency room opened and Felicity walked in. I was so surprised and grateful. Somehow she had tracked me to the hospital doctors from there she tracked me to the Hospital. I felt supported and cared for by her presence.

Felicity's fierce loyalty to her family and friends is often displayed by her quick and courageous defense of a loved one. After my divorce, I questioned my self-worth and value. Subsequently, I was in a relationship with a man who was dismissive and disparaging of me. I do not know why I felt I could not advocate and stand up for myself; I felt fragile and discredited. Felicity was outraged by his behavior. She confronted him and in this instance where I could not defend myself, she defended me. Consequently, she gave me the courage to end the relationship.

In 2015 I was placed in intensive care because of the onset of type 1 diabetes, accompanied by kidney failure. I was hospitalized for three or four days; it's a little blurry. Felicity flew in to be with me twice during my convalescence. She helped me navigate how this diagnosis would change my life forever. On both occasions she cooked for me, she cleaned for me, but most importantly she showed up for me with her love and devotion.

As you can conclude I adore my sister and hold her in the highest regard.

Respectfully,  
Jessie Huffman

A handwritten signature in black ink, appearing to read "Jessie Huffman", with a stylized flourish at the end.

**TAB 13**



Dear Judge Talwani,

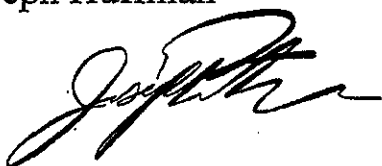
I hope this finds you well. My name is Joseph Huffman, nephew of Felicity Huffman. I am an and photographer living in New York City. I am sure you have recently received many letters from Felicity's friends and family members regarding her good character and caring nature. This is one of those letters, and I appreciate you're taking time out of your busy schedule to read it.

I can't speak highly enough of my Aunt and the positive impact she has on those around her. I have worked with her in both professional and personal capacities. Professionally, I have always left my encounters with her feeling a desire to rise to her level of excellence and expertise. But more importantly, I leave each personal encounter with Felicity feeling cared for, and more secure in myself. I've suffered from mental health issues for most of my life, which often leads me to feel isolated and alone. No matter how busy she is, Felicity always picks up the phone when I call, and is genuinely concerned with my well-being.

There was one time we were having lunch together and were discussing my issues with depression. She broke down in the middle of the restaurant because she was so worried about me. This was a pivotal moment in my recovery not only because I was able to see that people genuinely care about my wellbeing, but also because it revealed the impact my mental state was having on those around me. My Aunt's authenticity brought me closer to my family and helped me to understand that I am not alone in my struggle.

Often it isn't a particularly profound story which shows an individual's character. I am able to measure my Aunt's character by the sum of a series of countless small actions which have positively impacted my life, and the lives of those around me. She is an essential part of my support system and I am deeply grateful to have her in my life.

Sincerely,  
Joseph Huffman

A handwritten signature in black ink, appearing to read 'Joseph Huffman', with a stylized, flowing script.

**TAB 14**

July 11, 2019

Honorable Indira Talwani  
United States District Court  
One Courthouse Way  
Boston, MA 02210

Dear Judge Talwani:

I have had the great opportunity of leading the Los Angeles County High School for the Arts (LACHSA) from 2014 through 2018. I am writing this letter of support for Felicity Huffman who has been an invaluable parent volunteer at LACHSA.

LACHSA is a public arts-focused high school, housed on the campus of Cal State LA and a part of the Los Angeles County Office of Education (LACOE). Our student population is diverse - ethnically, racially, and economically. Students arrive on our campus for academic and arts classes, that are held Monday through Friday from 8 am to 4 pm. As a county public arts high school, our students travel both short and long distances for their education. In accordance with the California Constitution and since 1879, students who attend public schools cannot be charged for participation in educational activities (California Constitution, Article IX, Section 5). Consequently, there is no cost to students or their families when they are enrolled in LACHSA.

Throughout my two-decade long tenure as a school leader, I have known many parents who have volunteered at my four public arts high schools in which I have had the privilege of leading. Parent volunteerism is one of the many anchors at LACHSA that contributes to our students' successes. Like many parents of my LACHSA students, Ms. Huffman became an active volunteer when her daughter enrolled in August of 2015. Ms. Huffman's volunteerism was always centered on the entire student population. Never once did my staff and I feel that Ms. Huffman's volunteerism came with a personal interior motive. Rather, we sincerely believed that she was committed to improving and creating opportunities for all LACHSA students. Ms. Huffman was always ready to support other students with advice and guidance. She is highly respected and loved by the LACHSA community.

Ms. Huffman was always focused on helping our school and the students in any way she could. The school community is extremely grateful for Ms. Huffman's volunteer efforts. Here are a few highlights:

1. Through Ms. Huffman's initiative, a professional partnership between the school and *Paramount Studios* was developed. The outcomes from this partnership included: professional workshops/seminars for our students, an in-kind venue usage to showcase a school film festival and student internships with film and television professionals.
2. Through Ms. Huffman's initiative, the school was one of twenty schools selected in southern California to be part of the *Paramount Volunteer Day*. Fifty *Paramount Studio* volunteers spent a day at our school to construct paint and organize spaces within our music, dance, theatre, visual arts, and cinematic arts departments. Ms. Huffman volunteered her time and spent the day constructing shelving for the cinematic arts department, cleaning the staff room and building storage boxes for the theatre department. A picture is attached.



*Ms. Huffman with Paramount volunteers at LACHSA*



3. Ms. Huffman would serve dinners at LACHSA for our theatre students during tech week and performance nights. Our students are in school from 8 am to 4 pm and rehearse from 4 pm to 8 pm. These meals are vitally necessary for students who remain after school and are involved with our school's productions.
4. As very active theatre parents, Ms. Huffman and other parents would organize and sell refreshments prior to the theatre performances. The proceeds directly benefited the theatre department's productions and other departmental activities, e.g., costs associated with students participating in festivals.
5. Ms. Huffman could be counted on to roll up her sleeves after our theatre productions to assist with striking the scenery/sets and even cleaning the bathrooms after the show - if the custodial staff's shift had ended for the night.
6. Nationally, the costs to operate arts-focused public high schools exceed school districts' allocations. Ms. Huffman has been instrumental in bringing together the schools foundation with *L.A. County Board of Supervisors* to advocate for programming and financial support of the school. These meetings have been invaluable in generating additional resources and visibility for our students and the school community.
7. Ms. Huffman has been instrumental with building relationships between the school and industry studios, e.g., - *PARAMOUNT, CAA, MARVEL, SHOWTIME* - to support school programming and to establish student internships with these studios and agencies.
8. Ms. Huffman's involvement with *The Arts High Foundation*, LACHSA's school foundation, resulted in the establishment of *The Ovation Guild*, a new donation category of giving to recognize donors. *The Foundation* provides funding to supplement the arts budget of LACHSA.
9. Ms. Huffman and her husband produced, directed and hosted four large scale fundraising events to secure philanthropic gifts from the film and television industry in 2017 and 2018 as well as a Future Artists Gala in 2019. The total raised from all four events was \$1 million to be used exclusively in support of LACHSA students' and their education.

10. Ms. Huffman's family personally donated \$78,150 to *The Arts High Foundation* to support LACHSA students in their artistic and academic efforts.
11. Over the past two years, the corporate support of the Arts High Foundation, as a direct result of Ms. Huffman's involvement, was \$82,000 from *Showtime, Paramount, Disney/ABC, and ICM*.
12. Ms. Huffman's efforts in supporting the educational and artistic experiences of our students included the installation of dance floor and a cyclorama ( \$7,000 value); 15 new microsoft laptops donated through a request to *Marvel Studios*; and a Charitybuzz Campaign for *The Golden Globes* which raised \$12,000 for LACHSA
13. Through Ms. Huffman and Mr. Macy's efforts, our LACHSA students were featured on special video created for the *75th Anniversary of the Golden Globes* in 2017.
14. Ms. Huffman and William H. Macy opened their homes on behalf of the school on two occasions to host major fundraisers for the school. These two benefits at their home required Ms. Huffman and Mr. Macy to literally build and paint sets for the benefit, to hang lights, provide audio and visual equipment and to oversee the stage management of the production all the way to how the attendees' cars would be parked. These two benefits were hugely successful and resulted in new donors to the Foundation and increased dollars as well as more visibility for the school.
15. Through the school's Foundation, Ms. Huffman successfully spearheaded teacher salary raises for the part-time teaching artists in 2018-2019. This effort was significant especially for the teaching artists whose salaries were at the top of the pay scale and had not received a raise in fifteen years.
16. Ms. Huffman sponsored to pay for a theater production or set at the school's *Renaissance Benefit*.
17. Ms. Huffman and Mr. Macy's involvement with the school was invaluable in building a deeper relationship between the school and Cal State LA.

You may wonder why would I write a letter in support of Ms. Huffman? The Ms. Huffman who I know is a kind and generous woman. She is also incredibly aware of the gravity of her actions in which she is charged. I also believe she is deeply remorseful. Her reflective approach is authentic and I believe this chapter in her life has served to be an invaluable instructive lesson for her on so many levels.

Although, Ms. Huffman's daughter graduated from LACHSA on June 10, 2019, I am confident that Ms. Huffman is committed to continuing her support of our school. Ms. Huffman's heart is huge. Her involvement with the school has always been about building and implementing the vision of this school and supporting our entire community of young artists, scholars and citizens of the world to assist our young adults to move toward reaching their fullest potential.

Sincerely,

Mitzi Lizarraga  
Principal from 2014-2018

**TAB 15**

[REDACTED]  
[REDACTED]  
August 4, 2019

Honorable Indira Talwani  
United States District Judge  
John Joseph Moakley U.S. Courthouse  
1 Courthouse Way  
Boston, MA 02210

Dear Judge Talwani:

I am Co-President of the Arts High Foundation, a non-profit organization whose primary purpose is to raise funds to support the Los Angeles County High School for the Arts (LACHSA), one of the premier public arts high schools in the country. LACHSA serves 600 culturally and socio-economically diverse students from more than 80 school districts throughout Los Angeles County, offering tuition-free academic programs and conservatory-style training in the visual and performing arts. I first met Felicity Huffman shortly after her daughter enrolled at LACHSA, when she expressed interest in volunteering to help the school. Since then, she has devoted countless hours and brought extraordinary passion and energy to LACHSA, and she has become a close friend and inspiration to me.

Like most public schools, LACHSA faces significant challenges, from bare bones budgets, to a shortage of spaces to rehearse and perform, to teachers who barely make enough on their own salaries yet who dig into their pockets to purchase art supplies. It takes a strong and committed parent community to sustain the school – parents who sew costumes, shuttle students, help with concession sales at performances, and organize t-shirt sales. Almost immediately after joining the parent community, Felicity jumped in to help.

Her own words speak to her commitment. In an email to me over three years ago, she wrote:

When I heard the tech director of the Theater Dept. was collecting plastic bottles to turn in - so the theater dept could buy stuff like... masking tape... I thought... I gotta get involved! I had no idea that the arts are not funded by the state - that basically every art class - is broke before they begin - it's tragic! . . . I just thought I would throw my totally ignorant, unorganized hat in the ring.

Over the next three years, Felicity threw more than just a hat into the ring – she threw her whole self in! She approached this work like it was her second job, volunteering countless hours of her time, devoting her creative energy, sharing her professional expertise, and generously supporting

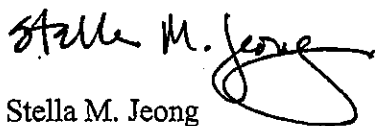
the school in other ways. Felicity and her husband Bill would attend as many productions and showcases as possible in each artistic discipline so that they could better understand the needs of each department. They taught master classes. They had students over to their house to rehearse. They helped the school acquire a badly needed floor for the black box theatre. They organized and hosted four fundraisers (two in their own home) featuring extraordinary student performances and exhibitions. Felicity regularly participated in events where studio representatives and artists came to the school to speak to the students. She tapped into her network of friends and business acquaintances to seek support for the school. And every chance she could get, she was evangelizing the story of LACHSA to others, inspired by the vision to help talented youth from all ethnic and socio-economic demographics to have the opportunity to pursue their artistic dreams.

Felicity is as down to earth as they get. She is a roll-up-her-sleeves-and-get-it-done kind of person who loved to get into the weeds. We were in touch, sometimes daily, to collaborate on events and to brainstorm on how we could get in-kind donations such as props, costumes, staging, computers, and camera equipment. We set up lunches and meetings with prospective supporters and key stakeholders. We strategized about ways we could advocate for better pay for the teaching artists, help students from underserved communities audition for LACHSA, build pathways for the students to the arts, and in turn create avenues for alums to mentor and give back to the community. And, to be very clear, it was *never* about helping her own daughter – it was about making LACHSA a better place for *all* students from *all* backgrounds to thrive and to have the opportunity to discover who they are and their place in the world.

Felicity has made an impact on LACHSA in so many ways – her energy, her ideas, her creativity, and her contributions. But of everything that Felicity has given to LACHSA, the most touching and memorable moments for me have been watching her and Bill sharing the passion they have for their craft with so many eager young students who dream of becoming artists like them, and seeing the faces of these students taking it all in like sponges. I know that she and Bill are eager to be able to resume their involvement in LACHSA, and I can't wait.

Finally, and most importantly, Felicity was and is an inspiration to me as a human being. She is devoted, empathetic, generous and compassionate, with a heart of gold. She is a wonderful mother. I am proud and grateful to count her as a friend.

Respectfully,



Stella M. Jeong



**TAB 16**

August 7, 2019

The Honorable Indira Talwani  
United States District Court  
One Courthouse Way  
Boston, MA 02210

To The Honorable Indira Talwani:

We've known are writing to you to give some background on our friend FELICITY HUFFMAN.

We originally met Felicity in early 2002 when we were neighbors. We lived around the corner from one another in a modest neighborhood north of Melrose Avenue in Los Angeles, California. Our children were born around the same time, so we'd often see Felicity and Bill pushing a stroller and walking their dog Walter. When we ran into them, we'd talk about being new parents and how overwhelming and exhilarating it was. Ben had recently started a diaper bag business; though we didn't know her well, Felicity kindly came to a sample sale to support the new business.

After Felicity and Bill moved, we reconnected at a "parent and me" gym class where Felicity brought her daughter Sophia and we brought our daughter, Zelda. We sat in a circle and were forced to go around and make painful introductions. Felicity leaned over and whispered, *"This is making me sweat!"* We laughed and a true friendship was born. Every week Felicity showed up with Sophia and we would sit in our circle. When our son Dashiell was born, Felicity knitted him a hat and brought us dinner when we came home from the hospital.

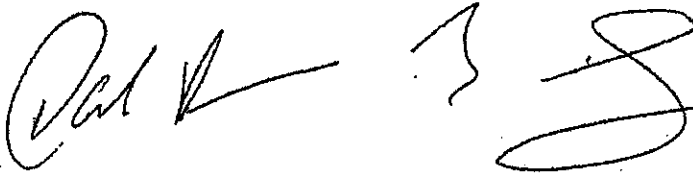
Our families grew to be extremely close. We had dinner together almost every week; Felicity had an obsession with her new crockpot and was constantly experimenting with new stew recipes (lentils seemed to be general favorite). We went to Disneyland together and visited her several times in her childhood town in Colorado, where we met her brother and sisters. It was always a joy to see Felicity with her family, she's very close with her siblings and they'd frequently cook and run errands together.

Our daughters were inseparable for years, and had a particular fascination with fairy mythology. Felicity would read them stories together, and helped them design fairy gardens. All four of our kids would bathe and play together, and Felicity was always involved in their baking, fort-making and gardening. As families, we'd design scavenger hunts for them in the yard, and they celebrated all of their birthdays together. Halloween was a big occasion at Felicity's home (she loves Halloween!); she and Bill hosted an annual neighborhood party where all the children would gather before trick-or-treating in the neighborhood. One year they transformed their home into a haunted house; in one room Felicity was a "scary witch" and re-enacted the same "scene" for every group of children that came through.

In private conversations, Felicity was very open about the trials and tribulations of parenting. She was often self-critical when it came to her skills as a parent; in our opinion, unfairly so. In fact, we actually think this rigorous self-examination is what makes her a great mother. Despite her busy professional schedule, she is and always has been incredibly present with her (and our) kids—kind, thoughtful, respectful and generous.

Felicity has also been a very good friend to us. We have worked together on several film projects over the years, and she was always supportive of our small independent films. For our first film, which Felicity acted in, she even paid for her own housing while we were shooting so that more money could go towards the budget. When Daniel turned 40, Felicity wrote and performed a hilarious song at his birthday party. She is reliable, consistent, available in times both good and bad—a true and wonderful friend.

Sincerely,

Two handwritten signatures in black ink. The signature on the left is 'Daniel Barnz' and the signature on the right is 'Ben Barnz'.

Daniel Barnz & Ben Barnz

**TAB 17**

Amelia Hamilton  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

August 5, 2019

Hon. Indira Talwani  
United States District Court  
One Courthouse Way  
Boston, MA 02210

To the Honorable Indira Talwani-

Thank you so much for taking the time to read this letter on behalf of my dear friend, Felicity Huffman. I understand the magnitude of this moment and how her actions have been received. However, I have known Felicity for nearly 15 years—we raised our girls, Sophia and Claire, along side one another. I believe it is important to understand who Felicity is as a friend and parent from one of her peers and I would like you to know how this one decision does not at all reflect the depth of her kindness, humor, and ability to embrace the imperfection of parenting. She has been a remarkable friend, an integral community member, and a truly good and supportive mom to raise my kids with.

As a fellow elementary school parent, I was immediately struck by what an attentive, active and generous mother she was, not just to her own kids but, to all the kids. She was the mom on the playground actively playing with the kids: chasing them, pushing them on the swing, taking turns on the slide with them. Felicity was also the first one to quietly volunteer for school activities. She would drive carpool, spend her days-off setting up for the art show or work with the kids in the classroom. Felicity was often one of the last parents to leave an evening performance as she stayed behind to do "clean-up duty" because no one else had volunteered. Felicity would also be the first to downplay her involvement with her trademark self-deprecating humor and genuine humility.

As our children became close friends, Claire and Felicity became close as well. The love and support she gave and still gives my daughter has been invaluable. Playdates at Sophia's house usually included epic games of hide-and-seek or capture the flag with all the adults in the house participating. At pick up Felicity would often invite us to eat dinner with anyone else who had wandered into the house recently. The dinner table would be full of family, neighbors, the kid's friends, the piano teacher or math tutor all laughing and playing some game Felicity had made up. But making Claire feel like she was loved and welcome on playdates, was only part of her supporting Claire. Felicity would continually celebrate Claire and her accomplishments as if she were her own child. I remember Felicity and Bill having our family to dinner and Felicity making it a point to celebrate Claire making Student Counsel. I truly believe the love and support she has given my daughter will positively affect Claire for the rest of her life.

As the kids spent more time together, I got to know Felicity on a more personal level. We became close by taking regular hikes together. I immediately connected with her, even though she was considered a "celebrity" and I was a "stay-at-home mom" at the time. She has a way of making everyone feel comfortable, interesting and safe, no matter who they are or what they do. When I was thinking about going back to school to get my Master In Psychology to become a therapist, she was one of the first people I told and she was my biggest supporter. I'm not sure I would have enough to do it if Felicity hadn't shown so much excitement for me. When I had major surgery, Felicity came and sat at my bedside all day while I drifted in and out of sleep. She made me feel safe. The support, encouragement and comfort Felicity lovingly hands out to her friends and family speak to who she is as person and a friend.

On our hikes, I was also struck by how open she was about the challenges of motherhood. We would often talk about how wonderful AND hard it was at the same time. Her ability to talk openly about the challenges of motherhood helped me take a breathe and realize that I was not alone. When she mentioned that she was thinking of starting an "anti-expert" parenting website that built community and was actually about the struggles and realities of being an imperfect parent, I was excited for her. Then, when she asked if I would write for it, I was struck by the fact that she did not want "celebrity" contributors, but "regular" moms with "regular" struggles. This is how Felicity has always viewed herself, as a regular and imperfect mom. Recently she was criticized in the media about having a "expert" parent website. However, Felicity has never painted herself as an expert, in fact, she has always talked about her imperfections and struggles as a parent with openness and honesty.

Since Felicity's arrest, it has been heartbreaking to watch how difficult this experience has been for her and the whole family. On our weekly visits we now spend a lot of time talking about how she is trying to "heal the wounds" she feels she has inflicted on her children, family, friends and others. She is devastated that anyone else is suffering from her mistake and has only expressed remorse and a hope she can make it up to them. She has always been spiritual, and this has increased, with her experience. There is a saying in the therapy world that it is "not the rupture but the repair" that matters. Of course I understand how this moment has been painful for so many people and of course the rupture was meaningful. However, it has been moving to watch Felicity and her family walk through this experience of repair with so much grace, humility and bravery. She has done so much more than simply admit wrongdoing— she has wrestled night after night with her decision and the impact it had on her family and the community. She has searched for ways to not just admit but to atone for her actions. My feelings for her character and my trust in her values as a friend and fellow parent have only grown since watching her bravely accept the consequences of her actions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Amelia Hamilton', with a stylized, flowing script.

Amelia Hamilton

**TAB 18**

Wendy Mogel, Ph.D.

[REDACTED]

[REDACTED]

June 20, 2019

Hon. Indira Talwani  
United States District Court  
One Courthouse Way  
Boston, MA 02210

- clinical psychology
- parent education
- school consultation

Dear Judge Talwani:

From May of 2012 through March of 2018 Felicity Huffman came to see me for parent guidance. Her goal? To raise her children to be wholesome, humble, kind people despite the pressures they face as children of public figures.

Felicity never focused on the status aspect of schools or social opportunities but rather worked to discern the best match for each of her daughters' true interests, abilities and challenges. From the start I admired her concern and over time I came to see her as an unusually sensible, grounded "anti-helicopter", "anti-snowplow", "anti-product development" mother.

Sincerely yours,

Wendy Mogel, PhD

Wendy Mogel, PhD

Clinical psychologist and author of articles and parenting books including *The New York Times* bestseller, The Blessing of a Skinned Knee



**TAB 19**

**Deborah Kory**  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

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August 6, 2019

Honorable Indira Talwani  
United States District Court  
One Courthouse Way  
Boston, MA 02210

RE: Felicity Huffman

To the Honorable Judge Talwani:

I barely knew Felicity when she invited me to stay in her home. Her niece, Maria, was my best friend in graduate school, where we both trained to become clinical psychologists, and I had met Felicity just once, at Maria's wedding. Several years later, we worked on a small writing project together and over the course of that time she found out that my mother had advanced-stage dementia and was living in an assisted living facility in Hollywood. She invited me for coffee the next time I visited my mom and during that conversation asked, "Wouldn't it be easier for you to just stay with me instead of at your mom's facility?" I was stunned by the offer.

She and her husband are big movie stars whom I'd imagined lived in a gilded compound where security guards granted entry with non-disclosure agreements. Instead, Felicity invited me into her household like I was part of her family. She gave me codes and keys and passwords and food and coffee and time lounging around with her family and friends. Her lovely, funny, polite and unassuming daughters invited me in too. They knew that my visits to my mother were difficult and would check in with me, update me on their latest struggles or triumphs, and hang out with me. The whole family was playful, open, unpretentious and friendly to the stream of visitors and guests always coming in and out of the house. Her husband, Bill, wanted my opinion on a movie he was directing and invited me to watch an early cut with him and discuss it. They didn't seem at all like celebrities, or how I had imagined celebrities to be. They walked around in pajamas and made toast late at night and shared their lives unselfconsciously. I raided their pantry at will. It was a generous home.

From 2013-2017, I went several times a year to see my mom and always stayed with Felicity. These visits were extremely painful for me. My mom had suffered various illnesses since I was a child and the last five years of her life were particularly brutal. Mostly bedridden, she suffered many hospitalizations, hallucinated frequently, and didn't always know who I was. I had struggled with my mom throughout my life and, in this final chapter, was struggling to let her go.

When I would return to Felicity's after a long day with my mom, she would check in on me, invite me on a walk with the dogs, ask insightful questions, tell me about her struggles. As a psychologist, part of my practice is working with teens and parents through the transition from adolescence to early adulthood. She liked to pick my brain about working with teens, but did so in such an honest way. She was open about her own challenges as a mom, her worries for her kids, the work she was doing with therapists to help them with school and the normal challenges of growing up. Her humility around her vulnerabilities as a parent and the wisdom she offered in helping me face my mother's death suggested she was no stranger to life's suffering. Yet for all her humility, I was struck by how intimate, affectionate and—for lack of a better term—well-adjusted her kids were. They had been kept out of the public eye and had managed to live fairly normal lives, with plenty of friends and community, a huge extended family, and an empathic way of navigating relationships.

I felt so honored to have been invited into her family and still do. After one particular visit, Felicity sent me a Vitamix for no reason other than she observed me coveting hers. She sent me a beautiful necklace for my birthday one year. Flowers another year. When I needed some extra support during one of my final visits to see my mom, she let my friend, whom she had never met, stay with me at her place while she was out of town. She texts me when she's thinking about me still, wanting to know how I really am. She is a dear and loving friend, mother and wife, both human and humane, and I have no doubt that she will continue to meet her fate with dignity, grit, and a humble heart.

Sincerely,

A handwritten signature in black ink that reads "Deborah Kory". The script is fluid and cursive, with the first name "Deborah" and last name "Kory" clearly distinguishable.

Deborah Kory

**TAB 20**

**MARY MCCANN and NEIL PEPE**

[REDACTED]  
[REDACTED]

July 7, 2019

Hon. Indira Talwani  
United States District Court  
One Courthouse Way  
Boston, MA 02210

Dear Honorable Indira Talwani,

We are writing on behalf of our friend and colleague Felicity Huffman. We have known and worked with Felicity for over thirty years and have been close friends through many milestones both personally and professionally. Over all these years, she has always been a conscientious and honest person of integrity.

Neil met Felicity in high school in the late 1970s when they attended The Putney School in Vermont. Mary first became friends with Felicity in the mid-1980s when they met as undergraduates at New York University's Tisch School of the Arts. Together the three of us, along with other founding members, created the Atlantic Theater Company. Felicity's commitment to the company, where our aim is to "empower simple and honest storytelling that fosters greater understanding of our shared world" has endured for more than thirty years. When the company first began, Felicity was one of the first people to roll up her sleeves and do whatever work was necessary. From building sets, painting bathrooms to tearing tickets and performing on stage, Felicity's hard work and dedication helped lay the foundation for what the theater is today.

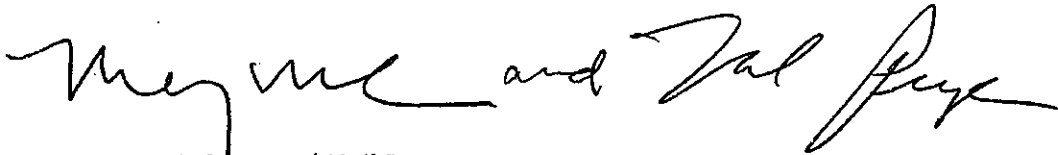
Since those early years, Felicity has been a devoted ensemble member. She regularly contributes to the theater in many ways supporting educational programs like Staging Success, one of our most powerful community initiatives. This is an arts education residency designed to help Title 1 schools use theater to reinforce their academic curriculum. Felicity has also been an advisor for many years; she is one of the key people we have turned to, as we have developed our school, for advice on how to keep evolving our work. Felicity contributes her time teaching and mentoring students free of charge. She has always been a sensitive teacher and actor, treating all of her collaborators with the utmost respect.

We have also been blessed to call Felicity one of our closest friends since we met those many years ago. She is an honest person with a strong sense of morality and intelligence. She is also deeply spiritual and religious, and a truly empathetic, devoted and loyal friend. We have always relied on Felicity at key moments in our lives for wisdom and advice; whether it is on marriage, births, deaths, successes or challenges. Felicity is the first person I (Mary) have called when I faced major challenges in my life: when my first daughter was born and was in the NICU it was Felicity who came to my side; when I struggled with infertility she kept me grounded in faith; when I discovered I had Breast Cancer she helped me every step of the way, through surgeries and recovery; and this summer, while Felicity has been dealing with her own challenges, she has again been supporting me when my family experienced three deaths in six weeks- my father-in-law passed away in May followed by two suicides, one a teenaged girl who was a close friend of my daughter and most recently my brother-in-law.

Words can't express what Felicity means to our family. She is beyond dependable and loyal, and we know when we turn to her we can rely on her honesty, wisdom, compassion and love. She has always stayed true to herself by striving to be grounded, kind and community-minded. She doesn't take anything for granted, she doesn't feel entitled, and she is hardworking, trustworthy and deeply humble.

We love Felicity and, as we've already described, know her to be generous, honest, loyal, down-to-earth, wise and full of integrity. She loves her family and she is devoted to her friends and the community. We are here to support her in any way we can.

Sincerely,

The image shows two handwritten signatures in black ink. The first signature is 'Mary McCann' and the second is 'Neil Pepe', with the word 'and' written between them. The signatures are fluid and cursive.

Mary McCann and Neil Pepe

**TAB 21**

8/6/2019

Buck Jones

Hon. Indira Talwani  
United States District Court  
One Courthouse Way  
Boston, MA 02210

Dear Hon. Indira Talwani,

Let me start by introducing myself. My name is Buck Jones and I am Felicity's nephew. I currently live in Snowmass Village, Colorado. I am writing this letter to give the court a sense of the kind of caring person and excellent mother Felicity is to her two daughters, Sophia and Georgia. Through my experience spending time with them over the many years no other mother, that I know, brings more positive energy, enthusiasm, and excitement to any activity or event than Felicity.

As an example of her kindness and thoughtfulness, I would like to briefly share with you an experience that I had with Felicity when I was a child before she had children of her own. One of my earliest childhood memories with Felicity, unfortunately, was centered around a crisis. When I was about five or six years old I was involved in a really bad car accident. I broke my right femur and had to be flown to Children's Hospital in Denver to be placed in a body cast up to my waist. After about a week in Children's Hospital I was released and able to go home and heal. Felicity flew in from New York City to be with my mother Jane and when she arrived



she had with her a present for me. The present was a brand new Sega Genesis, which at the time was the latest and most expensive Nintendo on the market. Her arrival and present to me lifted the room with energy and enthusiasm. For a moment I had forgotten I was with a broken leg because I was so overcome with excitement.

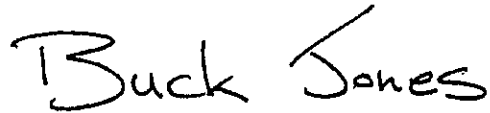
Shortly after my broken leg healed Felicity invited my cousin Jessie and me to a weekend trip to Los Angeles for no reason other than she knew we would enjoy it. From the moment we stepped off the plane in Los Angeles, Felicity was there to greet us with a new pair of all black Oakley sunglasses and passes to Disneyland. We had not even left the airport and already I couldn't believe how excited I was. During the trip we all wrote in one journal everything we did that day and then would glue all our event tickets and photographs inside the journal. Because it meant so much, I still have that journal to this day.

When Sophia and Georgia were born Felicity started spending more time in Colorado with her family during the holidays, and I would often be at their house with my cousins, where we'd play with Sophia and Georgia. I quickly noticed how present Felicity always was with her two girls. This was because of how present she had been with me when I was young that I recognized this to be one of her best qualities. When I would travel to Los Angeles to visit friends, Felicity would always have me stay with them. I saw how much fun Sophia and Georgia are to be around and the way they both carry a sense of maturity and respect that is rare for their age

group. I saw that the level of maturity and respect comes from Felicity's energy, enthusiasm, and commitment to always being present and showing up.

Over the last ten years I really got to spend a lot of time with Felicity. When my mother Jane, who is Felicity older sister passed away, Felicity was right by my side through a really tough and emotional time. I am truly blessed to have Felicity as my aunt. I thank you very much for your time in reading this letter.

Sincerely,

A handwritten signature in black ink that reads "Buck Jones". The "B" is large and stylized, with the "u" and "c" connected. "Jones" is written in a cursive-like script.

Buck Jones

**TAB 22**

July 01, 2019

Jessie Huffman  
[REDACTED]  
[REDACTED]

Honorable Indira Talwani  
United States District Court  
One Courthouse Way  
Boston, MA 02210

Dear Judge Talwani,

My name is Jessie Huffman and despite the gravity of current circumstances, it is with great pride that I say Felicity Huffman is my aunt. This pride that I feel stems not from her celebrity, but from who she is. It does not elude me that as a family member, my perspective might be taken as biased. However, it is precisely due to my being Felicity's niece that I can say I truly know her and am in a unique position to lend an understanding of her.

As I attempt to relay the person that Felicity is, what overtakes me is how deeply she has impacted my 29 years of life. I am currently a licensed social worker who specializes in extremely rewarding work with children and teens, I live in the mountains of Colorado which is my home in every sense of the word, and I can honestly say that I am happy and fulfilled. This was certainly not always the case, however, and there were countless hurdles, challenges, and downright disasters which preceded this time in my life. I tell you this because, as I look back on the many different directions my life could have taken, Felicity is interwoven into what helped me reach this point.

As a child, I grew up in a single parent household where my mother (Felicity's older sister) was left to raise three children on her own. Although I could not ask for a better, more committed mother, we all know that children need more than one stable adult influence in

their lives. Evidently, this was not lost on Felicity as she stepped in with her love and generosity of time and self to become a crucial figure in my life. Although I grew up in Colorado and Felicity lived in Los Angeles, she somehow managed to visit consistently and take me out on countless adventures, which were the highlight of my childhood. I was a tomboy and an "odd ball" to say the least, yet Felicity never failed to see me and value me exactly as I was. I am eternally grateful to Felicity for this as her sturdy influence helped shape me and empowered me to become my own person, independent of outside opinions.

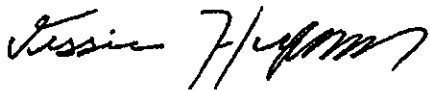
This value which Felicity places on the character of a person, rather than on how one may appear, was a major influence in my desire to serve those in my community and become a social worker. The instilment of solid values that I received from Felicity began when I was a child, however these values have not waivered. I remember a time in graduate school when I saw peers choosing flashy, high paying careers and I started to become lost in a haze of self-doubt. At that same time, I took a trip to visit Felicity in California and she happened to invite me to a Hollywood party. While in the car, Felicity turned to me, looked me in the eyes and said, "Don't forget, the work you're doing is so much more important than any of this." Her words, and the conviction with which she said them, were exactly what I needed to hear. I was touched, but certainly not surprised as this is who I have always known Felicity to be.

Last year when my work brought me to the mountains of Colorado and I did not have a place to live, Felicity opened her house to me without skipping a beat. Although it has been a year since I "temporarily" moved into Felicity's house, I can honestly say I have never felt more welcome or wanted, but again, this is not surprising. Felicity is one of the most loyal, loving, and caring people I know.

Thank you, Judge Talwani, for taking the time to read this letter.

Respectfully,

Jessie Huffman

A handwritten signature in black ink, appearing to read "Jessie Huffman", written in a cursive style.

**TAB 23**

Moore Huffman  
[REDACTED]

August 9, 2019

Judge Indira Talwani  
United States District Court  
One Courthouse way  
Boston MA02210

To Judge Indira Talwani ,

My name is Moore Huffman, I am the brother of Felicity Huffman . I am writing to you to hopefully lend some perspective on who Felicity is, and what she means to me and our family. And, what we mean to her.

I am six years older than Felicity, as children we had quite a bit of sibling conflict. Being a sullen teenage boy at the time I frequently didn't treat her well , in fact I was cruel. And her being six years younger, had no recourse with which to deal with it. A few years later when I had matured a little , I was full of remorse for my cruelty towards her. I apologized for the pain and hurt I had caused. She warmheartedly and unconditionally forgave. I realized that what she had always valued and wanted from me was family connection and love . She had already forgiven and was totally absent of any rancor or resentment towards me .

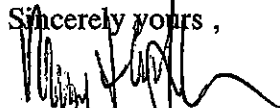
In the following years we became very close. Throughout my life she has provide me with love, affection and encouragement. In times of trouble she is always there, asking what can I do to help ? It's not just for me that she extends this charity , but for everyone in her life.

This is a small but true example of who she is and what she values.

I have never known her to hold a grudge or to be unkind. She is the sort of person who is always inclusive and welcoming to everyone. She encourages kindness and promotes community.

I hope this letter provides some insight and a more private view into who Felicity is. Thank you for your time for reading this.

Sincerely yours ,



Moore Huffman



**TAB 24**

Moore Huffman

[REDACTED]

[REDACTED]

[REDACTED]

June 10, 2019

Hon Indira Talwani  
United States District Court  
Boston, MA 02210

Dear Judge Talwani,

I am Felicity's nephew, Moore Huffman. I am writing you today in hopes of illuminating some of the qualities and attributes that Felicity embodies, so that you might better understand who she is as a whole person. Felicity's generosity, humility, and graciousness towards me, our family, and my friends has matured my understanding and awareness of others. These qualities in her have also contributed to my growth as a person. She has mentored me in how to carry myself in the world. I have many examples of Felicity's selflessness and desire to better the world around her. One particular example stands out for me, as it is remembered by my friends still today even after seven years.

I had a very tight knit group of friends growing up, many of which are still my closest friends today. As life goes on I realize these relationships are of the utmost importance, and Felicity has been a key factor in their continuation. She has consciously and intentionally contributed to our bonding and sense of community. One way she has done so was by organizing a reunion in her home for all of my childhood friends. Felicity was motivated to do so after I moved to Los Angeles seven years ago, when she learned how many of us lived in the area. Many of these people had lost contact over the years, and we reconnected as a result of this reunion. There were two people there that evening who have become significant in my life as a result of that reunion. It seems very unlikely that I would have reconnected with these people otherwise.

This is one example of Felicity's awareness of those around her, and it illustrates her desire to see people connect. It was purely her idea to organize an event for me and my friends, which I know came from her desire to foster a community for us. Her general motivation to bring people together could easily be described as passionate.

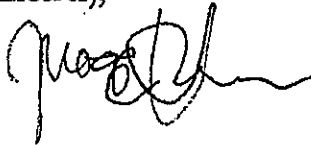
In addition to illustrating Felicity's orientation around community, I want to speak more specifically to how she has taken a great deal of interest in helping me create a solid

foundation for my future. She has done so through conscious, yet subtle guidance. When she has observed me failing to approach the world consciously, she has brought it to my attention with care. One example of this out of many, is her emphasis on the importance of memorizing the names of new people I meet. With her guidance I have discovered the deeper value of this practice. I have learned that it is an important sign of respect to those I come in contact with. Making extra effort to do so has also been of great value in my professional life. Felicity helped me to become aware that I needed to be better in this regard. Felicity has made herself available to me as a sounding board in life in general. I go to her for guidance when I need someone who I know will be honest and insightful.

I want to close by saying that Felicity's constant graciousness, humility, and proactive nature to help those around her has had a deep impact on me. Felicity inspires me to be a better person. This is not the first time that I am articulating this as many will attest to. I have spoken to the deep positive impact that Felicity has had on me in my interactions with both friends and family.

I hope reading this letter might offer you some insight into who Felicity is at her core, and I thank you respectfully for taking the time to do so.

Sincerely,

A handwritten signature in black ink, appearing to be 'Mazda' or similar, with a stylized, cursive script.

**TAB 25**

July 3, 2019

Hon. Indira Talwani  
United States District Court  
One Courthouse Way  
Boston, MA 02210

Dear Judge Talwani,

I am writing this letter in relation to the sentencing decision in your federal court on September 13<sup>th</sup>.

Felicity Huffman has been known to me personally for only the last several years. I was introduced to her in connection with my responsibility as the former Chancellor of the California State University system, a 23-campus entity with over one-half million students.

My post-Chancellor office has been on the Cal State Los Angeles campus, which is not only a postsecondary institution, but also houses two high schools. One is relatively new and is a charter organization devoted to STEM subjects. The latter has an audition-based admissions process, and I know that one of Felicity's daughters was a student there. The Los Angeles campus has recently been recognized as number one for socioeconomic mobility in the country, since it most proudly serves a great mix of socioeconomic and ethnic student applicants, across an extremely diverse Los Angeles County.

Less than two years ago, a friend of mine – an immigrant from Israel with a son at LACHSA – approached me seeking assistance with a very serious problem the school was facing on the Cal State LA campus. To meet the demand of growing admissions, the high school needed more and better physical resources, such as flexible rehearsal space, faculty offices, and study areas for students. However, the CSU campus was also expanding dramatically, and conflicts were arising between the high school and college. I was asked to intervene and possibly serve as a mediator, working toward a mutually-beneficial solution.

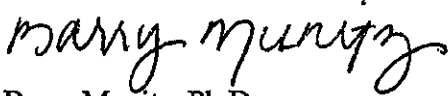
Of course, I agreed to join a parent-planning group – which included appropriate high school officials – and met both Felicity and her husband Bill at our first gathering. I was immediately and duly impressed by their willingness to help in every way possible. They were obviously deeply concerned and generous parents not only interested in their own child's experience at this very special organization, but also willing to contribute their time, funds, and network on behalf of subsequent generations of students and their families.

In the meetings that followed, Felicity and Bill were always present -- regardless of their other professional commitments -- and dove in with both feet, enthusiastically engaging in discussions concerning the high school's needs while remaining sensitive to those of the college. Their intelligence and commitment were clear. They called upon their entertainment contacts and leveraged their credibility to identify resources and generate ideas that would help the school. They also hosted and orchestrated a LACHSA Gala in Spring 2018 to generate much-needed funds. As a result, plans have emerged for an entire new high school and the relationship with its home campus has improved.

My professional interaction with both Felicity and Bill has left me with a strong impression of their integrity and authenticity. Notable has been Felicity's dedication and her willingness to roll up her sleeves to address very specific nuts and bolts planning issues.

I have come away from this experience respecting Felicity as a person, a mother, and a community volunteer. Even more important, she has demonstrated repeatedly her continued commitment to those most needing services and resources from the underrepresented and less well-served parts of our Southern California high school community -- a commitment I hold in high regard.

Thank you for your consideration and attention.

A handwritten signature in cursive script, reading "Barry Munitz".

Barry Munitz, Ph.D.

Chancellor Emeritus

President and Chief Executive Officer, J. Paul Getty Trust (ret.)

**TAB 26**

Thomas Alderson  


July 7, 2019

Hon. Indira Talwani  
United States District Court  
One Courthouse Way  
Boston, MA 02210

Dear Judge Talwani,

I have known Felicity Huffman for forty plus years. Her sister Jessie Huffman is my soul mate. I have always found Felicity to be of upstanding character and a truly compassionate person.

The sterling nature of her character showed itself in spades October of last year. My son Walter Alderson served in Charlie Company, 2nd Battalion, 2nd Infantry Regiment, 10th Mountain Division stationed in Fort Polk, LA. He had recently returned from an eight month tour along side a special forces unit in Rocca, Syria. On October 13th for reasons unknown he laid down on the railroad tracks in Louisiana, he was only twenty-one.

In spite of her hectic schedule Felicity arrived as soon as she found out. She stayed through the services and offered to stay longer. She did not know Walter well but was here to honor him and give me her total support. Felicity is a rock.

Felicity's steady calming influence, her compassion and her love was a god-send to all of us. I love and admire her.

Respectfully,



Thomas Alderson



Honorable Indira Talwani  
United States District Court  
One Courthouse Way  
Boston, MA 02210

Dear Honorable Judge Talwani,

It is with heartfelt respect and admiration that I write this letter of reference for Felicity Huffman. I served as Head of School at the Park Century School in Culver City while Felicity's younger daughter, Georgia, attended her final three years until her graduation from eighth grade. Park Century School was created to serve students with Dyslexia, ADHD and other learning issues.

My entire experience with Felicity Huffman, along with her husband, William Macy, was all I could have hoped for. Their daughters' path educationally was a tough one. Park Century School is designed to serve students with dyslexia along with the host of other learning issues that tend to follow. I found Felicity open and responsive to the individual learning plan designed for her daughter. She attended all conferences and school events and was an openly willing and helpful participant.

Georgia was an active participant in student government and was elected student body president her eighth grade year. As such she needed to provide leadership in planning certain school events like our Halloween Carnival and Talent Show. The expectation was that Georgia would embrace this role and get her student council team to plan and set up these events. In every case Felicity was there supporting her daughter. She made sure Georgia was at school earlier than the others setting up or staying much later to break down sets. While her affection for Georgia was always evident Felicity was not a parent to do the tasks taken on by Georgia.

I always found Felicity to be an active hands-on parent. In a school that serves mostly families with large resources to support, and at times over-support, their children, Felicity always struck me as a parent who

did not hover or do everything that her daughter should be doing for herself. She taught her daughter to be strong and independent. Even with her learning issues expectations would not waver. Felicity often spoke proudly of her Colorado roots and the appreciation for the lessons she learned growing up in a self-reliant manner. It was a value expectation for her daughters. Georgia's learning issues created a tough path through school. She would always have to work hard and most often harder than most. Felicity embraced this, never making excuses and was always appropriately supportive. Middle school can be a tough journey for a girl but Georgia, as her mother Felicity, never once uttered a complaint about a student, parent or faculty member.

When not discussing her daughter most of my discussions with Felicity centered on our appreciation for Winston Churchill. Felicity and her husband were very well read in this area. The Christmas gift to me was a two-volume paperback set of Churchill's biography, which I consumed, and cherish. I feel the volumes of this gift spoke volumes of the values this family, and certainly Felicity, modeled every day. While a family of success and wealth, there were never outward expressions of privilege or luxury of any kind. A question I got once from Felicity was about which kind of cowboy boots I had. She knew flashy "showy" boots from a real workingman's boot. With her husband Bill it was about the exquisite woodworking projects he had constructed.

Georgia's eighth grade years brought discussions of matriculation to high school. The choices for students with dyslexia are very slim in the Los Angeles area so there is an honest and expected anguish for most parents surrounding this. I proposed a stretch school, Westridge Girls School in Pasadena, that normally wouldn't have been on the radar screen for Felicity and her husband to consider. Knowing their daughter to be extremely hard working and conscientious I felt that it just might work. Westridge had always had a reputation as a top-flight all girls school. Expectations of its students are high but its reputation was that of a school that also has a large heart and supports its students and families as long as they understand what can be a difficult road academically. In every step in this process, from my speaking with the Headmistress to my letter of recommendation Felicity only asked appropriate questions and followed the admissions process as outlined on the website.

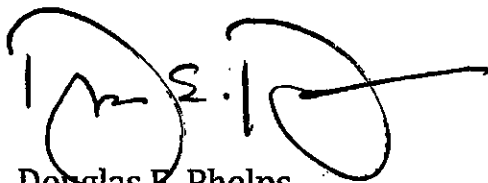
One of the strengths their daughter Georgia has is leadership. This clearly made her an even more attractive candidate for Westridge. Another strength I wrote about and discussed with the admissions committee at Westridge was the impeccable values of Georgia's parents. In my most recent discussion of Georgia's progress with the Headmistress we discussed all the wonderful attributes that makes Georgia who she is: leadership, caring personality, her get-to-work attitude that never quits and the appropriate and grounded family values that Felicity models in every interaction with the school. Of course, I was not surprised.

We live in a time when all too often parents have become the well tagged "helicopter parents" who over-support their children. It's well documented at every level of education parents attempt to create worlds where there are never bumps in the road, problems are always someone else's fault, and adversarial relations become the norm with teachers and administrators. Very happily for me and everyone connected to Park Century School, this was never the relationship with Felicity Huffman.

With over 40 years in education it was a breath of fresh air to work with a woman with the integrity of Felicity Huffman. She embodies the delicate balance of a parent who loves her child but also expects her daughter to be grateful for all that this world has given her.

If I can be of further assistance please don't hesitate to reach out.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Phelps", with a large, stylized flourish extending to the right.

Douglas E. Phelps  
Headmaster Emeritus, Park Century School